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LIVES

OF THE

ARCHBISHOPS OF CANTERBURY.

VOL. III.

Middle-Age Period.

LIVES

OF THE

ARCHBISHOPS OF CANTERBURY.

BY

WALTER FARQUHAR HOOK, D.D. F.R.S.

DEAN OF CHICHESTER.

VOLUME III.

MIDDLE-AGE PERIOD.

History which may be called just and perfect history is of three kinds, according to the object which it propoundeth or pretendeth to represent: for it either representeth a time, or a person, or an action. The first we call Chronicles, the second Lives, and the third Narratives or Relations. Of these, although Chronicles be the most complete and absolute kind of history, and hath most estimation and glory, yet Lives excelleth in profit and use, and Narratives or Relations in verity or sincerity. LORD BACON.

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ADVERTISEMENT.

THE first of these volumes was due to the public last year. The publication was delayed, as it was thought expedient, that the two volumes, relating to the mediæval history of the Church of England, should make their appearance at the same time.

Much more was written than has been printed. I had transcribed and translated many public documents unknown, at least to the general reader. These I have generally omitted, giving only the subject-matter in an abbreviated form; but the references are copious for those who desire to verify the statements, and the translations may be published in Appendix, if such a course should be hereafter thought desirable. Where, as an exception to this statement, documents have been given *in extenso*, it has been on account of some intrinsic importance, which the reader will at once perceive. Several historical details have also been

omitted, when, however interesting and important in themselves, they were found not to bear directly upon the subject of a biography. Even after these curtailments, the chapters will perhaps be considered too long.

In the Notes, a brief account has been given of the suffragans of both provinces, who sustained a distinguished part in public affairs, or were immediately connected with the history of the Primates. It will be seen that they were not, as is sometimes supposed, priests who were ambitious of civil appointments for the furtherance of clerical or ecclesiastical objects; they were, too often, lawyers and statesmen, who, regarding their spiritual functions as of secondary importance, accepted high preferments in the Church to obtain the advantages, which result from high station and a large income. They were, many of them, among the most eminent lawyers and statesmen of their own or any other age.

When the prospectus of this work was first issued, it was announced, that the history of the Archbishops of Canterbury would be followed by that of the Archbishops of York. Provision has been made for the carrying out of this design, even if the life of the

present writer should not be spared to complete the work. With this purpose, the publication of the "Fasti Eboracenses; or, Lives of the Archbishops of York," by Messrs. Dixon and Raine, will not interfere. Theirs is a valuable, learned, and important work; but Mr. Raine, in his preface, points out, with his usual clearness, the distinction between the object of their work, and that which is the aim of the present volumes. He states, that their work "does not profess to be a history of the Church of England, or any part of it. It has nothing to do with what are called 'the times' of the archbishops or of any of them." They write, he expressly informs us, ad clerum *not* ad populum, or, as he elsewhere playfully expresses it, for the bees, that is, for the philosophical enquirer and the historian, and not for the general reader, whom he compares to a less industrious insect. It is impossible to estimate too highly such works as those of Messrs. Dixon and Raine, or, more important still, the "Lives of the Judges," by Mr. Foss. They, as archæologists, collect, with minute attention to details, the wild flowers of the desert, which the philosophical historian, compared to the bee, converts into honey.

I forbear to mention in this place the names of the many friends and strangers to whom I am indebted

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for archæological, historical, or local information. My obligations are acknowledged in the proper place. I will only say, that wherever I have applied for information, my application has been met with an amount of kindness for which I shall always be grateful.

December, 1864.

CONTENTS

OF

THE THIRD VOLUME.

CHAPTER I.

INTRODUCTORY.

I. Distinction between a Church and a Sect.—The Church of England a Corporation.—Union between Church and State altered by the Conquest.—Attempt to introduce the Theocratic Principle.—Thirteenth Century the Epoch of our Nationality and of the Constitution.—II. Part borne by the Superior Clergy in the Building-up of the Constitution.—Independence of the Church of England.—Relations with Rome.—Primates, Statesmen and Lawyers rather than Divines.—Deplorable state of Dioceses.—III. State of the Secular Clergy.—Married or Concubinary Priests.—Employed in Spiritual Courts.—History of the Spiritual Courts.—Benefit of Clergy.—Low Character of the Seculars.—IV. Monasteries.—Secularity of the Monks.—Opposition of Monasteries to the Church.—Rivalry between Regulars and Seculars. — Relics. —Shrines.— Miracles. — Indulgences.— Reaction.—V. Mendicants.—Their Merits.—Their Learning.— Their Influence.—Their Degradation.—VI. Acknowledged Corruption of the Church in the Thirteenth, Fourteenth, and Fifteenth Centuries.—Council of Constance.—VII. Allowances to be made for Exaggerated and Party Statements.—Men of Learning and Piety.—VIII. A Reformation universally demanded.—Wicliffites and Lollards not the only Reformers.— Primates of England Reformers though not Lollards.—Wiclif.—

His Merits.—His Faults.—Lollards a Political Party.—Distinction between Prosecution and Persecution.—IX. Difficulty in understanding the Politics and Manners of the Middle Ages partially removed by late Publications.—Difficulty still considerable . . . . . Page 1

CHAP. II

RICHARD GRANT.

His Name.—Ricardus Magnus.—Le Grand.—Grant.—Personal Appearance.—An Author.—A Friend of Gregory IX.—Controversy about a Successor of Stephen Langton.—Conflicting Interests of Chapter, King, and Suffragans.—Walter of Hemesham elected by Chapter.—Opposed by King and Suffragans.—Reference to the Pope.—Pope bribed.—Examination of Archbishop of Canterbury.—Nomination of Richard Grant.—Disturbances in England when Papal Legate demanded by the King.—Antipapal Movement against Foreigners.—Rising Nationality.—Secret Society.—Sir Robert Twinge.—The Pope promises not to interfere with Lay Patronage.—Richard's Consecration.—Unpatriotic Principles of the Primate.—Advises the King to ask for a Resident Legate.—Controversy with Hubert de Burgh.—Goes to Rome.—Hated in England, Popular in Rome.—Sudden Death.—Reported Miracle . . . . . Page 103

CHAP. III.

EDMUND RICH.

Born at Abingdon—His Mother Mabel.—Her Asceticism.—Childhood.—School at Oxford.—Wedded to the Virgin Mary.—Goes to Paris.—Returns to England.—His Mother's Death.—Care of his Sisters.—Teaches at Oxford.—Becomes a Theologian.—Treasurer of Salisbury.—Preaches the Crusade.—Miracles.—New Decretals.—Candidates for the Archbishopric.—Election of Edmund.—His unwillingness to become Archbishop.—State of

Parties.—Patriotism of Edmund.—Remonstrates with the King —Consecration.—Rebukes the King at the Council of Gloucester. —Domestic Life.—Constitutions of Edmund.—Marriage of King. —The Legate Otho.—Opposition of Edmund to King and Pope.— Unpopularity of Otho.—Council at London.—Simon de Montford's Marriage.—Anger of Edmund.—Opposition to the Archbishop as a Reformer.—Archbishop at Rome.—Insult offered him by the Pope.—Confirms Prince Edward.—Thwarted by King and Pope.—Monstrous demands of the Pope.—Retires to Pontigny. — Speculum Ecclesiæ. — His Death. — Canonization.
Page 128

CHAP. IV.

BONIFACE OF SAVOY.

Son of the Count of Savoy.—Account of his Family.—Uncle of Queen Eleanor. — Sub-Deacon.—Elect of Bellay.—Appointed Archbishop of Canterbury through the Queen's interest.—Inclined to side with Patriots against the Court.—Visits in England.— His avarice.—Sides with Richard of Chichester against the King.—Proposed Visit of Pope to England rejected.—Council of Lyons.—Remonstrances of Church of England against the Pope.—Military Command of the Archbishop of Canterbury.— Influence of Boniface with the Pope.—Devoted to the interests of his party.—Taxes his Diocese to pay off the Debts of the Church of Canterbury.—Archbishop, after an absence of four years, returns to England.—Is enthroned. — His tyrannical visitation.—His violence at St. Bartholomew's.—Uproar among the People.—Meeting of Suffragans and Clergy to oppose the Archbishop.—Goes to Rome.—Adopts conciliatory measures.— Returns to England.—Controversy with the Elect of Winchester. —Well received at Oxford.—Oxford in the 13th Century.—Joins the Patriotic party in Parliament.—Threatens excommunication to all infringers of Magna Charta.—Rebuked by the King.— Attends funeral of Grosseteste.—Goes to the Continent.—Engages in Military affairs.—Consecrates a Bishop at Bellay.—Returns to England.—Opposes the Papal Nuncio.—Papal encouragement of

Perjury.—Boniface summons a Synod in defiance of the King.—Social Progress.—Architecture.—Political insignificance of Boniface.—The Mad Parliament.—Oxford Provisions.—Change of Politics in Boniface.—The Legate Guido.—Patriotism of the English Bishops.—Award of Amiens.—Boniface plots against the Barons.—Perjury of King sanctioned by Pope.—Legate Ottobon.—Council of London.—First appointment of a Prolocutor.—Accompanies Prince Edward to Gascony.—Death at St. Helen's . . . . . Page 228

CHAP. V.

ROBERT KILWARDBY.

Educated at Oxford and Paris.—Dominicans at Oxford.—Kilwardby Provincial of the Order.—Disputed Election at Canterbury.—Kilwardby forced on the Church.—His Consecration.—Exactions of Rome.—Political Life of the Archbishop.—Crowns King Edward and his Queen.—Controversies at Canterbury.—Second Council of Lyons.—Bonaventura.—Thomas Aquinas.—Archbishop's Visitation.—Reform at Oxford.—Translation of St. Richard.—Black Friars.—A Mendicant Feast.—Made a Cardinal.—Goes to Rome.—Dies there.—His Works . Page 304

CHAP. VI.

JOHN PECKHAM.

A Sussex Man.—Educated at the Priory of Lewes.—Afterwards at Oxford.—Introduction of the Collegiate System.—Oxford Expenses.—Oxford Outfit.—Goes to Paris.—A Professor at Oxford.—Becomes a Franciscan.—His Works.—Provincial Minister of the Franciscans.—Visits Italy to study Canon Law.—Canon of Lyons.—Auditor Causarum at Rome.—Appointed to the See of Canterbury.—Demands upon the Income by the King and by the Pope.—Controversy with Archbishop of York.—Contro-

versy with the Monks of St. Augustine's.—Constitutions.—Visitation.—Claim of the Bishop of St. David's.—Visits Lewes.—Visits Oxford.—Rationalistic tendencies-—Description of a Visitation.—Mission as Ambassador to Llewellyn.—Statute of Mortmain.—Its Author, Bishop Burnell.—Statute Circumspecte Agatis.—Complaint against the Judges.—Persecution of the Jews.—The General of the Franciscans advanced to the Papacy.—Peckham dies at Mortlake . . . . Page 327

CHAP. VII.

ROBERT WINCHELSEY.

Born at Winchelsea.—Destruction of the Town.—Educated at Canterbury.—Paris.—Rector of the University.—Enters at Merton College, Oxford.—Chancellor of Oxford.—Archdeacon of Essex.—Probably Chancellor of London.—Elected to the Archbishopric.—Goes to Rome.—Consecrated at Aquila.—Returns to England.—Extraordinary demand of the Earl of Boulogne, and the Bailiff of Whitsand.—Invested with the Temporalities by Edward I.—Excommunicates the Welsh Prince.—Takes the Pall to Canterbury.— Offices performed by the Nobility at the Enthronisation.—The Earl of Gloucester's Fees.—Splendid Enthronization.—Bill of Fare.—Insult offered to the Primate by two Cardinals from Rome.—Marriage of Edward I. with Margaret.—Unpopularity of Winchelsey.—Provincial Visitation.—Reception of the Archbishop at Chichester.—Winchelsey's connexion with the Earls of Hereford and Norfolk.—Character of the King.—Illegal Acts.—Attack on Church Property—The Bull *Clericis Laicos*.—Decided course of the King.—Clergy outlawed.—Archbishop's perverseness.—Good conduct of the King.—A Synod.—Council employed by the King.—Church and State opposed to the Archbishop.—Divided allegiance—His want of loyalty.—Attends the King in his Address to the People before going to Flanders.—Claim of Pope Boniface to the Suzerainty of Scotland. — Winchelsey's conduct.—Waits on the King in Scotland.—Parliament of Lincoln.—Rejection of Pope's claim by

Parliament.—Winchelsey's Treason.—Synod of Merton.—Winchelsey universally hated.—Accused of Treason.—Mean and cowardly conduct.—Banished the country.—Ill-treated by the Pope.—Goes to Bourdeaux.—Paralytic seizure.—Death of Edward.—Winchelsey returns.—Recovers strength.—Persecution of Templars.—Improved conduct of Winchelsey.—Regains good opinion.—Opposes Edward II.—Death at Oxford . . Page 368

CHAP. VIII.

WALTER REYNOLDS.

Born at Windsor.—Son of a Baker.—Educated as a Lawyer.—Preceptor to Edward of Carnarvon.—Character of the Prince.—Reynolds out of favour with Edward I.—Keeper of Wardrobe and Treasurer to the Prince.—Piers Gaveston.—Letters of Prince Edward.—Expenses of Royal Household.—Preferments of Reynolds on the Accession of Edward II.—Treasurer of Exchequer.—Bishop of Worcester.—Chancellor.—Attends Council of Vienne.—Translated to Canterbury.—Misery of the Country after the Defeat at Bannockburn.—Reynolds resigns the Great Seal, and retires from Politics.—Obtains eight Bulls from Rome.—Articuli Cleri.—Hebrew Professorship endowed at Oxford.—Adam de Orlton.—Spirited Conduct of the Primate.—Dispute about cross-bearing between the Metropolitans.—Reynolds sides with the Queen against the King.—Meeting of Bishops at Lambeth.—Murder of Bishop of Exeter.—The Revolution.—Reynolds Crowns the Prince.—Preaches at Coronation.—Death.—Benefactions . . . . . Page 455

CHAP. IX.

SIMON MEPEHAM.

Born at Meopham in Kent.—Educated at Merton College—A Biblical Scholar.—A Canon Residentiary of Chichester.—State of Society in Chichester.—Elected to the See of Canterbury *per viam compromissi.*—Detained at Avignon.—Consecrated by Peter,

Cardinal of Prænestc.—Does homage at Lynn.—Particular in forming his Household.—Convenes a Synod in London.—Uses strong language in the Preamble to the Constitution.—Good Friday a Festival.—Feast on the Virgin's Conception.—Consideration of the Poor.—Hermits to be licensed.—List of Holidays.—Provincial Visitation.—Bishop of Rochester.—Controversy with Archbishop of York. — Visitation of Exeter.—Extraordinary proceedings of the Bishop of Exeter.—Mepeham retires to Slindon. —Controversy with the Monks of St. Augustine. —Retreat to Slindon.—Rest at Slindon.—Anger of John XXII. Testimonials in favour of Mepeham.—The Suffragans join with him against the Monks. The Archbishop exonerated.—Dies at Slindon . . . . . Page 492.

LIVES

OF THE

ARCHBISHOPS OF CANTERBURY

BOOK III.

MEDIÆVAL PERIOD.

CHAPTER I.

INTRODUCTORY.

1. Distinction between a Church and a Sect.—The Church of England a Corporation.—Union between Church and State altered by the Conquest. —Attempt to introduce the Theocratic Principle.—Thirteenth Century the Epoch of our Nationality and of the Constitution.—II. Part borne by the Superior Clergy in the Building-up of the Constitution.—Independence of the Church of England.—Relations with Rome.—Primates, Statesmen and Lawyers rather than Divines.—Deplorable state of Dioceses.—III. State of the Secular Clergy.—Married or Concubinary Priests. — Employed in Spiritual Courts. — History of the Spiritual Courts. — Benefit of Clergy. — Low Character of the Seculars. — IV. Monasteries.—Secularity of the Monks.—Opposition of Monasteries to the Church.—Rivalry between Regulars and Seculars.—Relics.—Shrines. —Miracles.—Indulgences.—Reaction.—V. Mendicants.—Their Merits. —Their Learning.—Their Influence.—Their Degradation.—VI. Acknowledged Corruption of the Church in the Thirteenth, Fourteenth, and Fifteenth Centuries.—Council of Constance.—VII. Allowances to be made for Exaggerated and Party Statements.—Men of Learning and Piety.—VIII. A Reformation universally demanded.—Wicliffites and Lollards not the only Reformers.—Primates of England Reformers though not Lollards.—Wiclif.—His Merits.—His Faults.—Lollards a Politica

Party.—Distinction between Prosecution and Persecution.—IX. Difficulty in understanding the Politics and Manners of the Middle Ages partially removed by late Publications.—Difficulty still considerable.

CHAP. I. Introductory.

I. The title of Church has, of late years, been assumed or employed to denote any association of Christians who, holding in common certain peculiarities of doctrine, have united to discuss, maintain, and propagate their opinions. Such a society has, hitherto, been called a Sect;* and has generally been named from its founder, though, sometimes, from its more prominent characteristics. The question as to the propriety of the modern application of the term, Church, must be left to the philologist and the divine. It is only necessary here, by referring to the introductory chapter of the first book, to remind the reader, that such is not the sense in which the term is used in the present work. In that chapter, it has been shown that, by the Church of England, we mean not an association of theological dogmatists, but a certain *corpus incorporatum;* which, having been instituted in the year 597, and, having passed through various phases of doctrine, has continued in existence to the present hour. In order that this may be the more clearly understood by the general reader, I shall make the following quotation from Blackstone: "It has been found necessary," he observes, "when it is for the advantage of the public to have any particular rights kept on foot and continued, to constitute artificial persons who may maintain a perpetual succession, and enjoy a kind of legal immortality. These artificial persons are called bodies corporate, *corpora corporata*, or corporations." In order that he may show the advantages of these incorporations, the learned author reverts to the case of a College,

* The word "sect" is described in the dictionaries as denoting a party following a particular or especial doctrine or end.

and the reader will be able, at once, to refer what is here said, to the higher and more extensive corporation —the Church of England: "If a College," he remarks, "were a mere voluntary assembly, the individuals who compose it might, indeed, read, pray, study, and perform scholastic exercises together, so long as they could agree to do so; but they could neither frame nor receive any laws or rules of their conduct—none, at least, which would have any binding force, for want of a coercive power to create a sufficient obligation. Neither could they be capable of retaining any privileges or immunities: for if such privileges be attacked, which of all this unconnected assembly has the right or ability to defend them? And when they are dispersed by death or otherwise, how shall they transfer these advantages to another set of students, equally unconnected as themselves? So also with regard to holding estates or other property, if land be granted for the purposes of religion or learning to twenty individuals not incorporated, there is no legal way of continuing the property to any other persons for the same purposes, but by endless conveyances from one to the other, as often as the hands are changed. But when they are consolidated and united into a corporation, they and their successors are then considered as one person in law: as one person they have one will, which is collected from the sense of the majority of the individuals: this one will may establish rules and orders for the regulation of the whole, which are a sort of municipal laws of this little republic; or rules and statutes may be prescribed to it at its creation, which are then in the place of national laws; the privileges and immunities, the estates and possessions of the corporation, when once vested in them, will be for ever vested, without any new conveyance, to new successions; for all the

CHAP. I. Introductory.

individual members that have existed from the foundation to the present time, or that shall ever hereafter exist, are but one person in law—a person that never dies; in like manner as the river Thames is still the same river, though the parts which compose it are changing every instant." *

The laws by which the Church is governed, are the laws which, at various times of her existence, have been enacted by lawful authority, or which, being imposed upon her from without, have been tacitly accepted. As is the case in all corporations, ancient enactments may have been superseded by later legislation, and the laws of the Church made to harmonize with the laws of the State. But if, at the present time, we go to the Court of Arches, we shall there find Lyndwood, who died in 1446, still quoted as an authority; while the pre-Reformation canons remain in force, when they are "not repugnant to the laws, statutes, and customs of the realm; nor to the damage or hurt of the king's prerogative royal."†

* Blackstone's Commentaries, book i. chap. xviii.

† In an Act entitled, "The Submission of the Clergy and Restraint of Appeals," 25 Henry VIII. cap. 19, there is the following provision:—"Provided, also, that such canons, constitutions, ordinances, and synodals provincial, being already made, which be not contrarient nor repugnant to the laws, statutes, and customs of the realm, nor to the damage or hurt of the King's prerogative royal, shall now still be used and executed as they were afore the making of this Act." And again, in the Act for an examination of the Canon Law, as cited in Gibson's Codex, 997, it is enacted that such canons, constitutions, ordinances, synodal or provincial, or other ecclesiastical laws and jurisdictions spiritual as be yet accustomed and put in use and execution for the time, not being repugnant, contrarient, or derogatory to the laws or statutes of the realm, nor the prerogatives regal of the Crown, of the same or any of them shall be occupied, exercised, and put in use for the time within this or any other the King's Majesty's dominions. This is still the law, and thus the ancient canons have their parliamentary authority. The

We have, as members of the ancient corporation, the possession of those sacred edifices, which our predecessors erected, and to which we have made, and are still making, many additions. From them, also, we have inherited property, in tythes or estates—the present endowments of the Church. This great truth will, no doubt, be brought out more prominently, in the controversies, in which it seems probable that the rising generation of divines will be involved. The question is coming before the ecclesiastical authorities, whether, in a corporation, which has passed through so many phases of doctrine, certain other doctrinal modifications may not be adopted to meet the exigencies of the time. With this I am, however, no further concerned, than to express my satisfaction at any movement, which may make our historical position more intelligible to the public, whose ignorance on these matters is so fairly represented in the House of Commons. My present object, in recurring to this subject, is to remark, that, even among zealous conformists, there are many who regard the Church from a merely sectarian point of view. As sectarians, they look to

following is from Blackstone: "In the reign of King Henry the Eighth, it was enacted in Parliament that a review should be had of the Canon Law; and, till such review should be made, all canons, constitutions, ordinances, and synodals provincial, being then already made, and not repugnant to the law of the land, or the King's prerogative, should still be used and executed. And, as no such review has yet been perfected, upon this statute now depends the authority of the Canon Law in England. As for the canons enacted by the clergy under James the First, in the year 1603, and never confirmed in Parliament, it has been solemnly adjudged, upon the principles of law and the Constitution, that where they are not merely declaratory of the ancient Canon Law, but are introductory of new regulations, they do not bind the laity, whatever regard the clergy may think proper to pay them."—*Commentaries*, book i. Introduction, sec. 3.

CHAP. I. Introductory.

the doctrine of our Church, instead of her history. They regard the Church of England as a sect, established in the sixteenth century to maintain, and support the principles of Protestantism, as defined, if they are defined, in the Thirty-nine Articles; although they would find it difficult, to state the precise circumstances, under which their sect was established, or when it was endowed. That such persons should feel no interest in the history of the primates of England anterior to the Reformation, is a consequence of their position. They avow it, and our only remark to them is, that for such readers, these volumes are not designed. The historian regards the Reformation as only one, though the most important, of the many changes, which our Church has undergone, between the sixth and the nineteenth centuries. The student of history is aware, that of an isolated fact no correct judgment can be formed. He will, therefore, follow the author as he notes the stealthy progress of corruption—the growth of weeds, at first mistaken for flowers—within the precincts of the Church. He will observe the gradual detection of the noxious character of these corruptions, and the prevalent desire to root them up. He will mark with interest the long struggle between the principles of Reform, and Conservatism; the final triumph of Reformation, and the reaction of Conservatism, which converted the Reformers into Conservatives, the opponents of a hierarchy into its defenders.

In the preceding books, we have seen the Church of England, first struggling for existence, and then civilizing the various races in possession of our island; and, subsequently to the Norman invasion, resisting the tyranny of foreign kings, while happily failing in an attempt to establish the theocratic principle.

We have now arrived at a new era. It will be

remembered, that William the Conqueror effected a revolution in the Church as well as in the State; and in the present book, we shall have to consider the consequences, resulting from that important change in the relative position of the civil and ecclesiastical institutions of the country. He brought the principles of Feudalism to bear upon the Church, and, with a view to establish his own power the more firmly, he separated the spiritual from the civil jurisdiction.

Before the Conquest, the union between Church and State might have been compared to the union of body and soul in one man. If the flesh sometimes lusted against the spirit, and the spirit against the flesh, they were always one in action. Law and equity sat on the same bench. The rigour of Teutonic justice was tempered by the Christian attribute of mercy. The royal authority assumed a quasi-sacerdotal character, and the priest was armed with the powers of a magistrate. The laws were blended. Treason was heresy, and heresy treason. The Witenagemot partook of the character of both a synod and a parliament. In the shire-court, the ealdorman, or earl, and the bishop presided, with co-ordinate jurisdiction. In the hundred-court, the rural dean sat with the headborough.

This system was virtually abolished at the Conquest, by the establishment of spiritual courts. The union between Church and State, thenceforth, may be compared to the union between man and wife in one household. Although the general interest was one and the same, there was room for misunderstandings, disputes, and even for divorce. The almost immediate effect, was a struggle for the mastery between the two powers, the civil and ecclesiastical. If they were no longer to be one in action, who was to have the dominion?

CHAP. I. Introductory.

The contest between the two powers did not occur, while William the Conqueror and Lanfranc continued at the head of affairs;—a good understanding existing between these two great men. But if I read the history of Anselm and of Becket aright, the object of these celebrated prelates was to establish the theocratic principle in England. The Bishop of Rome was a sovereign prince; why should not the Primate of England be in the same position? Or, if a foreign king were still to reign, (and the kings both of the Norman and Angevin dynasties were, till the reign of Henry III., foreigners), he might be the suzerain, living in his continental dominions, while the real authority might remain with the primate. The primate might be a prince bishop, as so many had become, or were becoming, under the empire. It was in this shape, that the subject presented itself to the public mind. Anything was better, in the opinion of the people, than the tyranny of the kings. The mild rule observed in the spiritual courts was contrasted with the martial law, which, in the courts of the barons, superseded the laws of good King Edward. The clergy were *of* the people and *with* the people. They were the popular leaders, and among them were to be found the chief demagogues of the age. The movement was, therefore, popular. The Norman barons, at first the supporters of the Crown, became converts to this principle, when the tyranny of Richard and of John became unbearable. It was not until it was found, that the contest was no longer for the superiority of the primate, but for that of the pope, that the theocratic principle was indignantly rejected. When it was perceived that the design was entertained by the pope, to make England a fief of Rome; there was at first a pause, as of a giant not knowing what course to pursue; but gradually, all the

races, by which the land was peopled, united, in the one object of asserting the national independence. Their union was strength. That strength was, in the first place, directed against papal aggression. And, from the reign of Henry III., we may date a growing hostility, on the part both of the clergy and of the laity, to papal pretensions. This hostility may, indeed, be considered as almost contemporaneous with our nationality; of which the thirteenth century is the epoch.

Until this time, our country had been occupied by various races, with a tendency to combination; without being actually fused the one into the other. In our language we have our history; our language, which, in its present form, dates, like our nationality, from the thirteenth century.* The staple of the language is Saxon, the language of the ever-absorbing race. But it is commingled with the Celtic† and Scandinavian dialects,

* The first state paper published in the English language, is a circular, addressed in the name of Henry III., to the counties of England and Ireland, after the publication of the celebrated Oxford Provisions or Statutes in 1258, *super reformatione status regni*. As a specimen of the English of the time, I give the concluding words :—

"Witnesse usselven æt Lunden' thane egtetenthe day on the monthe of Octobr' in the two fowertigthe yeare of ure cruninge; and this wes idon ætforen ure isworene redesmen (here follow the names of Archbishop Boniface and of the other councillors), Ætforen othre moge, and al on the ilche worden is isend in to aurihce othre sheire over al thare Kuneriche on Engleneloande ek in tel Irelondow.—*Fœdera*, i. p. 378.

† Besides the Celtic words subsequently introduced into our language, there are words evidently derived from the earliest inhabitants of the island. They are thirty, or thereabouts, in number: basket, barrow, button, bran, clout (rag), crock (crockery), crook, cock (in cock-boat), gusset, kiln, dainty, darn, tenter (in tenter-hook), fleam (cattle lancet), flaw, funnel, gyve, griddle (gridiron), welt, wicket, gown, wire, mesh, mattock, mop, rail, rasher, rug,

CHAP. I. Introductory.

and also with Norman-French. The Celts merged into the Teutonic race, whether Saxons, Jutes, or Angles. Into this race was again absorbed the Scandinavian invaders, who effected a settlement in the island, and, for a time, had possession of the government. At the Conquest, these formed one people, the Anglo-Saxons.* At length, through intermarriages and a community of interests, the conquerors yielded to the conquered. In the thirteenth century, the Norman, in whose veins, through his mother, Saxon blood was flowing, saw his interests identified with that of the other races; and so Teuton, Scandinavian and Celt, united, formed that new man, who, as the Englishman, was destined to make this little island the foremost nation in the civilized world.

The first Englishman stood before the world on the 15th of June, 1215; and our Constitution dates from that hour, when, by Church and State, Magna

solder, size (glue), tackle. *See Latham on the English Language*, p. 98. Sir Edward Creasy ("Progress of the Constitution," p. 31) remarks that this is precisely the list of words we should expect to find, on the supposition that the conquering Saxons reduced to slavery the Britons whom they spared from the sword, while they took wives from the captive daughters of the land.

* I am aware, of course, that it is the custom of some writers, especially with those who have partially adopted the fascinating but untenable theory of Thierry, to speak of the population conquered by William, as the English. Whether they are, strictly speaking, correct or not, it appears to me better to describe them as Anglo-Saxons, just as we speak of Anglo-Normans, although, according to Hallam, it may be doubted whether the title was ever assumed by themselves as a separate designation. If we speak of the Anglo-Saxons as English, we seem to ignore the Norman element in the present English character; and we give countenance to that untrue and mischievous theory, which would make, even now, a distinction of race in England—separating the upper classes as Normans from the lower orders as Saxons.

Charta was extorted from the Angevin tyrant. When we give this date, however, to the birth of the Constitution, which had long been in a state of parturition, it is not, of course, meant that any theory of government was then propounded; or that a constitution burst forth from the English brain—a Minerva, armed at all points, like the constitutions which emanated, in the last century, from the politicians of France, whose intellectual vigour was, certainly, not such as to require the interposition of a Vulcan. What we mean is simply this, that our liberties were secured by acting on a principle, which has been almost an instinct in our politicians, from that day to the hour, when the Reform Bill was carried by the persevering wisdom of Lord Grey. Our constitutional principle has ever been to preserve the monarchy; permitting it, for the preservation of order, to retain the power, which it won originally by the sword; but, by surrounding it with those limitations, checks, and restraints, which experience has shown to be necessary, to guard against a despotic use of an authority, which is only permitted to the executive, for the public good. Our kings have been always safe in the old keep of Windsor, so long as they have remembered that Runnymead is sown with dragon's teeth.

II. When the foundation was once laid, the edifice of the Constitution gradually rose, and is rising still. It will not be completed until the working classes, in field and factory, are admitted to a fuller share in the products of labour and the fruits of the soil. What has been already accomplished, in the gradual elevation of the middle classes, we may be sure, that posterity will rejoice to see effected, in behalf of the industrial population. This end is to be reached by a continuance of that system of social advancement and reform, of

CHAP. I. Introductory.

which we shall have hereafter to speak. The question now before us is, Who were the master-builders of the Constitution when it was seen first rising from its foundations ?

It is evident, of course, that we are not to look for them in the House of Commons. The House of Commons—an almost immediate consequence of the principles asserted in Magna Charta—was called into existence, at a revolutionary period, by one who, though not born in England, was an English patriot, acting under the advice of Grosseteste, Bishop of Lincoln, the resolute opponent of the Papacy ; and more especially of the Doctor illustris, Adam de Marisco, or, as we should now say, Adam Marsh. Simon de Montford, acting on the principle of Archbishop Langton and his compeers, resisted Henry III. when Henry, though a better man than his father, yielded to the counsel of foreigners, and violated the conditions, upon an observance of which only, an English king is permitted to reign. A principle was then asserted, which no king thenceforth dared to gainsay, though there were many who attempted to evade it : the right of the Commons to resist taxation, unless it were self-imposed, and to refuse it, until wrongs were redressed. But, except to grant or to refuse a subsidy, the House of Commons scarcely interfered in political events, before the reign of Edward III. The members accepted a seat in the House, as a burden, from which they would fain have escaped. They did not regard it as an honour, to which freemen might aspire. There was the power, but it was dormant ; and the country scarcely knew how powerful the House of Commons really was, until an attempt was made, in the third Edward's reign, to employ it for the purposes of faction. The present order of things was, in the middle ages, reversed. At present, while

the powers of the executive are still vested in the Crown, the country is, in point of fact, governed by the House of Commons. In the middle ages, the initiative of all measures was with the House of Lords, or with the Privy Council, which was little more than a Committee of that House. The House of Commons, having the power to grant or withhold the subsidies, was powerful to defend the liberty of the subject, and to resist an abuse of the royal prerogative; but it was not within its province, to proffer counsel, unasked, upon affairs of state. When it became necessary to place new restrictions upon the royal prerogative; or when revolutionary measures were at any time necessary; then, as a measure of precaution, the Lords consulted the Commons; but it was to the Upper House rather than to the Lower, that the king, in ordinary times, looked for advice.

Now, every association of men must be governed by its majority, and the majority of the House of Lords, during the middle ages, consisted of the lords spiritual. "The earls and barons," says Sir Francis Palgrave, "unless supported by the bishops and abbots, would have had little chance of resisting oppression. The form of government which, in the words of Hume, 'made a new epoch in Europe, rekindled her ancient spirit, and shook off the base servitude of arbitrary will and authority under which she had so long laboured,' so far as it was beneficial, arose from the ecclesiastical organisation of the state. The free constitution, which, in his age, still preserved an air of indifference and legal administration, was the result of institutions he despised; and the sentiments of liberty, honour, and equity, superior to the rest of mankind, in which he teaches us to rejoice, resulted, not from the generous barbarians to whom he would ascribe them, but to the

CHAP. I. Introductory.

very cause to which he refers the debasement of human intellect and the degradation of mankind." *

It will be seen, in the following pages, that, for a long period, almost all the higher offices of the state were filled with the dignified clergy. They were the chancellors, the judges, the statesmen, the counsellors, the diplomatists, the ambassadors; they were the lawyers,† and, at one period, they were almost the only medical practitioners and surgeons. Among the lay lords there were comparatively few, before the end of the fourteenth century, who were willing to

* This is quoted from some unprinted fragments of my respected friend, the late Sir Francis Palgrave, lent to me by the kindness of his son. They refer chiefly to a period, anterior to that on which our attention is engaged. But whatever emanates from his pen must be worthy of notice. Hallam admits, that "it is worthy of observation that the spiritual peers summoned to Parliament were in general more numerous than the temporal;" and for a fact so indisputable he refers to the authority of Prynne. It must be remembered, that among the lords of Parliament, those abbots and priors were summoned to sit who held lands by barony. These were not of necessity mitred abbots, as is sometimes supposed. It was indifferent whether they were mitred or not; the question depended upon the tenure by which they held their lands. The permission to abbots to wear the episcopal dress was granted by the pope, and the pope could not thus indirectly appoint to a seat in the English Parliament. Both abbots and priors, who held lands by barony, were liable to be summoned, though they regarded the summons as imposing not an honour, but a burden. They do not seem, in general, to have mixed in politics like the bishops. They lived the life of country gentlemen, the Benedictines cultivating their lands, the Cistercians breeding their sheep. They did what they could, to escape a summons, and hence the numbers attending Parliament varied. According to Palgrave, there were generally summoned between thirty and forty.

† When we read of eminent lawyers, such as Bracton, the first of the great lawyers of the middle ages, Lyndwood, and others, we must remember that they were priests. Bracton was an archdeacon, Lyndwood a bishop.

undertake, or competent to discharge these functions. Pembroke, De Burgh, and Simon de Montford, who are among the greatest men of the time, are hardly exceptions; for the clergy were their counsellors. If a Red-Book had been published in the reign of Edward III. the following would have appeared as a list of public functionaries:—The Lord High Chancellor, Simon Langham, Archbishop of Canterbury; Keeper of the Privy Seal, William of Wykeham, Archdeacon of Lincoln; Master of the Rolls, David Miller, Parson of Somersham; there were ten beneficed priests, civilians, Masters of the Chancery; Chief Chamberlain of the Exchequer, William Mulse, Dean of St. Martin's-le-Grand; Chancellor of the Exchequer, William, Archdeacon of Northampton; Clerk of the Privy Seal, William Dighton, Prebendary of St. Martin's; Treasurer of the King's House, Richard Chesterfield, Prebendary of St. Stephen's; Master of the King's Wardrobe, Henry Snatch, Parson of Oundle; one of the Chamberlains of the Exchequer, John Newnham, Parson of Fenny Stanton; Surveyor and Controller of the King's Works, John Rowseby, Parson of Harwich; Treasurer to the King, for the part of Guisnes and the Marches of Callice (Calais), Thomas Brittingham, Parson of Asby; Treasurer of Ireland, John Troys, a priest.*

* See Baker's Chronicle. The inferior clergy, who, as we shall presently see, found their employment in the spiritual and local courts, did not often seek a seat in the House of Commons, though we occasionally find them there. It was an unlucrative burden, which they avoided. I quote the following from Hallam, whose prejudices would have led him to an opposite conclusion if facts had permitted. After referring to the well-known case of Haxey, he says, "There can be no doubt with any man who looks attentively at the passages relative to Haxey, that he was a member of Parliament; though this was questioned a few years

CHAP. I. Introductory.

It will be seen from this statement, that my business has been, in this book, to write the lives, with few exceptions, not of divines, but of statesmen and lawyers. I have had, therefore, frequently, to enter upon the politics of the age, and I have done so with little help; for the history of England between the reigns of Henry III. and Henry VII. remains to be written. It has been sketched, and only imperfectly sketched. An obstacle, almost insurmountable, existed, until a late period, to the composition of a complete historical narrative; from the difficulty of procuring an insight into public documents, or of becoming acquainted with those details of social life, to the elucidation of which, the microscopic glasses of the archæologist have been now applied. I have been obliged to consult original authorities, and I have always cited them, in the notes, when anything is advanced which appears to contradict preconceived opinions, or the traditional prejudices

ago by the Committee of the House of Commons, who made a report on the right of the clergy to be elected—a right which I am inclined to believe did exist down to the Reformation, as the grounds alleged for Nowell's expulsion in the first of Mary, besides this instance of Haxey, conspire to prove, though it has since been lost by disuse." When the clergy are beneficed, and have the cure of souls, there is a reason why they should not have a seat in Parliament. But it is scarcely possible to conceive an absurdity greater, than that which prevents a man who has no cure of souls, and who has succeeded to a large estate in the country, from taking his seat, if elected, in the House of Commons. It might be enacted, that, if he received preferment, his seat should be vacated, as a seat is vacated when a man accepts an office. But among the anomalies of the present day, posterity will be amused, at finding that, when the doors of the House of Commons are opened to Jews, Turks, infidels, and heretics, they are closed only to a man who has received a commission to preach the Gospel of the Lord Jesus Christ. The House of Commons, replete as it is with wisdom and virtue, cannot exclude folly and prejudice; and by folly and prejudice any attempt, at a wise legislation in this respect, would be defeated.

of those, whose historical knowledge has been derived from compendiums or catechisms, or from the plays of Shakspeare. The historical plays of Shakspeare, with which every one is familiar, are valuable in an historical point of view; not for the statement of facts; for which his authorities were not the best; but for his wonderful insight into the spirit and sentiment of the times. To his deep philosophical mind, ever pregnant with great ideas, and agonizing to express them, the story was always a secondary consideration. He took the figure of clay as he found it, and—a better Prometheus—he animated it with fire from heaven. His aim was not that of an historian; his object was to depict the national character, and to make others to become, like himself, every inch an Englishman.

Whenever the mediæval history of our country shall be written, it must be undertaken, in a spirit and on a theory very different from that, which has hitherto too generally prevailed. According to many writers, the Church of England, in the times preceding the Reformation, was not the Church of England, but the Church of Rome. In defiance of all historical facts, these historians assert that the Romish sect, such as it afterwards became, when its doctrines were defined in the Council of Trent, was the established Church, before the Reformation; and that, at the Reformation, it was ousted by a Protestant sect. They then imagine, that the English hierarchy was a mass of conspirators, ever labouring in the pope's service, to the detriment and destruction of the Constitution. They are sadly perplexed to account for the conduct of our prelates and clergy; but their perplexity arises, because they assume, without shadow of proof, that the ante-Reformation clergy must have designed to act, as a Roman Catholic prelate would be expected to act at the present time.

CHAP. I. Introductory.

If we are first to form a theory, and, in order to support it, explain away the facts of history, we may be impassioned partizans, but we can hardly be followers of the truth. It is notorious, that, in the thirteenth and fourteenth centuries, the Church of England, as a body, and the higher clergy in particular, were anti-papal.

It is time for impartial persons to look at the case, as it really stood. The Church of England, though closely connected with the see of Rome, and holding the doctrines, which were accepted by all European Churches, either tacitly, or at councils esteemed to be general, was nevertheless an independent Church, before as well as after the Reformation. From the reign of Henry III., when the national character began to be formed, the ecclesiastical authorities, as well as the civil, were resolute in resisting the unlawful requirements of the pope. Sometimes a question would arise, as to what papal requirements or requests were lawful and what not. In regard to these, the Church might take one view, and the State another; but, on the principle of maintaining the independence of the Church and nation, all were united. The principle, on either side, was one and the same. All parties regarded the Pope of Rome, from a feudal point of view. He was supposed, not by the clergy only, but by the laity, to be the spiritual suzerain of Western Christendom. The Norman dukes had acknowledged the suzerainty of the kings of France; but if a king of France claimed what a duke of Normandy regarded as more than his due, he was resisted even unto blood. The principalities of Germany admitted the suzerainty of the emperor; but what were the rights of the suzerain was a question upon which, between him and them, there might be differences of opinion, only to

be settled by the sword. So was it with respect to Churches. No one in England—not even the Lollards, certainly not the reformers Wiclif and Pecock—denied the suzerainty of the pope; until the reign of Henry VIII., when feudalism had almost expired. But the aggressions of the suzerain might be and were resisted; and even Italians denounced the reigning pope, sometimes, as an antichrist.

If we bear these things in mind, we shall be able to enter into the spirit of the middle ages; and to read with interest the lives of the statesmen and lawyers, which will be found in the following pages. One and all, clergy and laity, were prepared to resent any encroachment on the rights, liberties, or purses of the people made by the pope. The Statutes of Provisors and Premunire, which are misrepresented sometimes as an attack upon the hierarchy—a very divided body then as now—were, in point of fact, statutes for their protection. The popes did not, at that time, pretend to interfere with the rights of lay patronage.* It was the spiritual patron, who suffered from his attempted usurpations; and it was with the freedom of election, pertaining to the chapters, that he, by his provisions, sought to interfere. The attack by these statutes, was not upon the English hierarchy, but upon the pope. That they were afterwards turned against the clergy is true; but this took place, as we shall presently see, when the misunderstanding had commenced between the ecclesiastical and civil authorities. It is also true, that, as they were odious at Rome, a weak primate would occasionally ask for their repeal; especially if he had some object to gain from the papal authorities; but this was done, almost always, in that spirit, in which it

* This was settled in the reign of Henry III. See Life of Richard Grant.

CHAP. I. Introductory.

is said that cold prayers beg denials. The great offenders against the Statutes of Provisors and Premunire were the kings, who were too ready to find excuses for setting aside an Act of Parliament; not only when it served their purpose to do so, but sometimes, with the mere object of trying the strength of their prerogative.

The relations of both Church and State with the See of Rome, were the occasions, necessarily, of much inconsistency on the part of public men. This must be the case, whenever rights on the one side, and immunities on the other, are undefined. The difficulty on the part of clerical statesmen was, of course, the greater; and when, as in the fifteenth century, an alienation between the clerical and lay members of the Church began to be marked, and sometimes violent, the clergy would look for assistance from Rome. Thus it came to pass, that they had become more papistically inclined in the reign of Henry VII., than they had been in any preceding period subsequent to the reign of Henry III.

The great error of the clergy did not consist so much in the original acceptance of secular offices, as in their not retiring from them, and confining themselves to their clerical duties, when their services were no longer required.

When few except the clergy were qualified to fill offices, to discharge the duties of which an educated mind was requisite, the better educated, among the clergy, argued, that, in becoming jurists, diplomatists, ambassadors, chancellors, and judges, they were still doing their duty as pastors of the flock of Christ. The flock consisted of the laity as well as of the clergy, and the pastor was to look to their welfare in things temporal as well as in things spiritual; to superintend the processes of civilization, as well as to propagate and expound the Gospel.

At one period, there was force in the argument, which became more forcible from the circumstances of the Church. Much of ordinary clerical work consisted in the mere routine performance of certain ceremonials, which might have been performed by an automaton. Consequently, men of high intellectual powers, thought, that they might be more profitably employed, in devoting themselves to the performance of duties, which required a higher exercise of mind. Inferior persons might administer the sacraments, discharge parochial work, and preach the Gospel to the poor. Bishops, it was argued, might be excused for pretermitting the inferior duties of their calling, to discharge those higher functions, as they came to regard them, which the exigencies of both Church and State required at their hands.

But when the law became a profession, and, being a profession open to the laity as well as the clergy, produced lawyers with whose interests or gains the clerics interfered; when, on the revival of learning, learned men were found in the ranks of the aristocracy; and when candidates for secular offices were not too few, but too many; then this kind of argument, questionable at all times, lost all its weight, apparent or real. If the dignified clergy had then returned to their proper duties, that hostility between the laity and the clergy, which, when there is no bond of religion between them, exists to the present hour, would not have come into existence or would have immediately subsided. On the other hand, we must not be surprised, if the clergy, in the fifteenth century, did not see things in the same light as ourselves, with the experience of the nineteenth. It was easy for them to persuade themselves that, if they retired from secular affairs, the Church would be exposed to the attacks of

CHAP. I. Introductory.

enemies who, at that time, were gathering around her. The clerical profession would, it was represented to them, suffer, in a loss of dignity, if from the highest offices in the country they were excluded. Although, during the period under consideration, a layman was occasionally appointed Lord High Chancellor, yet the marble chair and the woolsack were seats generally occupied by a prelate. What would be the feeling of the legal profession, at the present time, if it were determined, in the House of Lords, to exclude the Lord Chancellor from presiding over their councils; if it were said, that a permanent president selected from ancient Peers, well acquainted with Parliamentary precedent, would be a better chairman, than a person just summoned to the House; if they were to remark, that the first business of the Chancellor is to act as an equity judge, and that the suitors in the Court of Chancery required his whole attention? The profession would not listen to the argument, but would resent the indignity offered to its representative. So may have felt the clerical profession, in the fifteenth century. The kind of feeling still lingered, down to the time of Archbishop Laud. His mediæval temper and narrow mind could not apply the homely proverb, *Ne sutor ultra crepidam.* He thought to raise the dignity of the clergy, by obtaining for them appointments as officers of State. In the present day, we see that he only is really dignified in character, who does the work that God has given him to do, and does it with all his might, whether it relates to great matters or to small. At the same time, we must remember that the king, till a late period, was unwilling to part with clerical statesmen. A direct attack upon the property of the Church would have been resented. But when his exchequer was low, a bishopric provided

a salary for a minister of State; or when that minister was past his work, a pension was provided from the same source.

We have instances of good and pious mediæval prelates, who, residing in their sees, were a blessing to the living by their charities; and who deserve the gratitude, though not the prayers, of posterity for their munificence, in the endowment of schools and other eleemosynary institutions. These were generally, however, men who, like William of Wykeham, retired to their sees after a life of political activity—sometimes when their party was defeated. The immense good done by these men, with large incomes and no families, after a time, added to the discontent of the Church, and caused a demand for reform. The advantages resulting from the residence of a diocesan, became so evident, that against non-resident diocesans a clamour was raised, especially in the fifteenth century.

The state of the dioceses, from the general non-residence of diocesans, was, indeed, generally deplorable. All discipline was relaxed. A bishop would occasionally hold a visitation, but it would add to his unpopularity, since it imposed a burden upon the clergy, by whom his household and retinue were to be entertained and supported. He had spiritual courts, but a deputy was judge—the chancellor presiding in the chief court, the archdeacons in the others. By deputy, also, he discharged those functions, which devolve exclusively on the episcopal office. There were always many bishops in the country, who were not diocesans. There were refugee bishops, who were in a position, similar to that occupied now, by a retired colonial bishop, either visiting England for some special purpose, or making it his permanent abode. Bishops *in partibus* could be sometimes employed. These were consecrated

CHAP. I. Introductory.

abroad, and were sent into England by the pope, to officiate in the exempt monasteries. Frequently an Irish bishop was licensed to act for an absent diocesan. There were, at one period, bishops of France and Scotland; the former consecrated during the wars of Edward III. and then driven from their sees, the latter having been consecrated during the papal schism.* These bishops could minister among the people, instead of prelates by whom the first duty of their calling was neglected. But these—the suffragans of suffragans—had neither legal nor canonical authority to superintend the clergy, to administer discipline, or to correct abuses. When the feeling of indignation was roused against diocesans, whose non-residence was no longer a necessity, those bishops were regarded with dislike and contempt. It is one of the complaints in Piers Ploughman :—

"Allas! that men so longe
On Makometh sholde bileve,
So many prelates to preche
As the Pope maketh,
Of Nazareth, of Nynyve,
Of Neptalyn, of Damaske,
That thei ne wente as Christ wisseth,
Sithen thei wille have name
To be pastours and preche
To lyve and to dye.
Bonus pastor animam suam ponit," &c.

A little after he says :—

"Thus in a feith leve that folk
And in a false mene,

* A list of these prelates may be seen in the "Registrum Sacrum" of Mr. Stubbs. It is taken, with additions, from Wharton's laborious collections. Mr. Stubbs says it is not complete; but, as published by him, it is doubtless as complete as it is possible now to make it.

And that is routhe for rightful men
That in the reawme wonyen
And a peril to the Pope
And prelates that he maketh
That bere Bishops names
Of Bethleem and Babiloigne
That huppe about in Engelond,
To halwe mennes auteres,
And crepe amonges curatours,
And confessen *ageyn the lawe*
Nolite mittere falcem in messem alienam," &c.

Alluding afterwards to diocesans, he says :—

"Every bisshop that bereth cross
By that he is holden
Thorugh his province to passe,
And to his peple to shewe hym,
Tellen hem, and techen hem
On Trinité to bileve,
And feden hem with goostly foode,
And gyve there it nedeth." *

That, under these circumstances, the discipline of the Church should be relaxed is only what might be expected; and we read, with more of regret than surprise, of the moral degradation of the inferior clergy; as it

* The Vision of Piers Ploughman. Passus Decimus Quartus, 10583, 10692, 10707. Wright's Edition. Robert Langland or Longland, the reputed author of the Vision, which was completed, according to Bale, in 1369, was himself an ecclesiastic. Severe as he was upon evil deeds of Churchmen, he nevertheless loved the Church, whom he represents as

"A lovely lady of Leere," *i. e.* of countenance and mien.

He had none of the communistic principles which prevailed among the Lollards. This circumstance is mentioned, because it gives weight to his satire, and because, upon that account, we regard him as an authority upon which we can safely rely. This cannot be said of the author of Piers Ploughman's Creed, or the many other imitators of the once popular Vision.

CHAP. I. Introductory.

is presented to us, sometimes in grief and at other times in mockery or scorn, by contemporary writers.

III. There is a marked difference in the moral tone which prevailed, among that class of the clergy, who competed for the highest offices in Church and State, on the one hand; and that larger class, on the other hand, who were contented to act as their deputies, and to perform the routine offices of the sanctuary, in town and country. The very fact, that the delinquencies of such men as Peter des Roches, Boniface, Cardinal Beaufort, Bishop Stillington, Cardinal Wolsey, and a few others, are noticed and condemned, is ground sufficient, for charity to conclude, that their conduct was exceptional as regarded their class. The primates, whose lives are here submitted to the reader, were all of them, with perhaps one exception, men of moral worth; and the fact that the morality of men, surrounded by envious rivals, was unimpeached, is a strong presumption that it was unimpeachable.

When the Lollards began to attack the bishops, the attack was grounded on their wealth, their worldly possessions, and their pride. It was of their luxurious tables, of their gold and jewels, and of the splendid retinues by which they seemed to rival kings, that the complaint was made.

"Alas! who may such saints call
That wilneth welde earthly honour
As low as Lucifere such shal fall
In baleful blackesse to builden her bowre
That eggeth the people to errour,
And maketh them to hem thrall;
To Christ I hold such one traitour,
As low as Lucifer such one shall fall.

"That willeth to be kings peeres,
And higher than the emperour;

And some that were but poore freres,
Now wollen waxe a warriour.
God is not her governour,
That holdeth no man his permagall;
While covetisse is her counsailour,
All such falshed mote need fall.

"That high on horse willeth ride
In glitterande gold of great array,
I-painted and portred all in pride,
No common knight may go so gay;
Chaunge of clothing every day,
With golden girdles great and small;
As boistous as is beare at bay;
All such falshed mote need fall."

It was chiefly against the regulars and the friars, that the grosser charges of immorality were established. The accusation brought against the secular clergy, mostly by the friars, was that of ignorance and neglect of duty. When they are accused of immorality, we must distinguish between the meaning of the accusation as brought against them, and the same accusation when levelled at monks and friars. It chiefly meant, as regards the secular clergy, that they were married. The clergy in the middle ages were forbidden by the canons to marry. Nevertheless, they *did* marry, though their wives were called concubines. The married clergy, or, as they were styled, concubinary priests, were subjected, in their own persons, and in the excommunication of their wives, to severe penalties; but these were easily evaded, and their conduct was connived at by judges often in the same predicament as themselves.*

* Any one acquainted with the legislation of the middle ages is aware of the incessant enactments on this subject, which are sufficient to show the inadequacy of a legislation directed against the instincts of human nature; and, in this instance, against the principles

CHAP. I. Introductory.

Nevertheless, the married clergy or the concubinary priests were looked down upon, as persons under a cloud. They were violators of the law, and were regarded with feelings of peculiar dislike, by all whose religion was enthusiastic and stern. Unless he was connected with royalty, or was a member of some aristocratic family strong enough to set at defiance the canons of the Church and the law of the land, or unless he possessed remarkable power of genius, the married priest was aware, that he was excluded from the higher preferments of the Church; and that he must seek his comfort, exclusively, in that domestic intercourse, of which, at the same time, he was ashamed. To a man whose master passion was ambition, or who had the gift of continence, the highest offices of the Church, and through the Church, of the State, were open; and then, as now, the son of a humble trader, or of a cultivator of the soil, might

of Scripture, which not only pronounces marriage to be honourable among all men, but makes regulations with respect to the marriage state of a bishop. We may refer generally to the constitutions of Stephen (Langton), of Richard (Wethershed), of Otho, Ottobon, and Peckham. The reader must carefully bear this in mind when he reads of charges brought against the clergy for incontinence. It often means merely, that they were married or concubinary priests. The laity were especially vehement in enforcing the celibacy of the clergy. In 1 Henry VII. cap. 4, the bishops are directed to commit them to prison; but the most extraordinary Act of Parliament upon the subject that I have seen is 31 Henry VIII. cap. 14. So late as the time of Henry VIII., in an Act intituled an Act for Abolishing of Diversity of Opinions in certain Articles, &c., a married priest is pronounced guilty of felony. The prevalent connivance of the archdeacons is to be inferred from the fact that an oath was imposed on them and on rural deans, that they would not take money for tolerating the marriage of the clergy. This would not have been necessary if their connivance were not purchasable. See Wilkins, i. 387, 388.

rise to become the first or third peer of the realm. The married clergy, on the other hand, felt themselves to be in a false position; they lost their self-respect, and while they were the very persons, who stood most in need of preferment, yet from the hope of preferment they were excluded. They were obliged to look elsewhere for the means of livelihood—and this they found in the spiritual courts.

The ecclesiastical courts, when they were first established, were extremely popular, and justly so. The feudal spirit, which prevailed in the courts baron or courts leet, rendered their judges careless and inattentive in the case of persons, who, in return for legal protection, could render them no service, or whose resentment, if judgment went against them, they had no cause to fear. To such persons, one of two courses was open. They might appeal to the king's court, where justice was impartially administered, or to the diocesan court. Before the appointment of Justices in Eyre, the ecclesiastical court was the court near at hand. It had obtained the public favour, before the important system just mentioned, of justices itinerant, was constituted and arranged. In the ecclesiastical courts, at this early period of their existence, every suitor felt secure that his case would be examined with candour and decided with impartiality. These courts also possessed an advantage, over courts, at which the common law was administered by foreign judges. The spiritual courts were regulated by defined and intelligible rules. The canon law, into which some of the most objectionable features were not yet introduced, was made to harmonize with the law of the land.* The spiritual

* The canon law is divided into three periods—the Ancient, the Middle, and the Modern. The Middle period commences with the ninth century, just after the collection of canons by Isidore

CHAP. I. Introductory.

courts were indeed courts of equity, rather than of law, and, for the sake of the poor and the oppressed, the clergy were invited to take part in the proceedings. Hence, while the higher ranks of the clergy were studying the civil law; the lower orders of clergy were engaged in the study of canon law. All parties were thus led on to neglect the peculiar functions of their sacred office—the study of theology, scriptural science, and sacred philosophy.

The early popularity of the ecclesiastical courts led, not indeed to their destruction—for, with contracted powers, they still exist—but to those corruptions which, certainly, gave the final impulse to the Reformation under Henry VIII. Professional ambition, in conjunction with the will and interests of the suitors, adopted that kind of legal fiction which, even to a very late period, constituted the Court of Exchequer a court of law and equity. When the Court of Exchequer, from being a committee of the curia regis, assumed an independent jurisdiction, it was created for the trial of all causes relating to the revenue of the Crown, with power to call all farmers and debtors of the king to account. When, however, the business increased in

Peccator, or Mercator. It terminates with the Council of Pisa, in 1409, when the Modern period begins. But it was not till the twelfth century that the celebrated Decretum Gratiani, or the Concordia Discordantium Canonum, made its appearance. The work is said to abound with errors, some of which still exist in the edition published by authority at the Council of Trent. Mr. Butler, an English Roman Catholic lawyer, and a near relation of the well-known Alban Butler, remarks that, to these compilations, "one of the greatest misfortunes of the Church, the claim of the popes to temporal power by divine right, may in some measure be attributed. That a claim so unfounded and so impious, so detrimental to religion and so hostile to the peace of the world, should have been made, is strange—stranger yet the success it met with."—*Horæ Juridicæ*, p. 170.

the other courts of justice, the Barons of the Exchequer were permitted, tacitly, to enlarge their jurisdiction. The king's farmers and debtors, in order that they might meet the royal demand upon their purse, were permitted to implead, in the court to which they themselves were cited, those debtors to themselves, the payment of whose debt to them was necessary to enable them, in turn, to discharge their obligations to the king. So likewise, if a man injured them personally, they were disabled from work; if they could not work, they could not receive wages; if they did not receive wages, they could not pay the king; the king therefore was interested, in fining those by whom they were damaged in person or estate, or in protecting them from further injury by their punishment. By this kind of legal fiction, the jurisdiction of the Barons of Exchequer was so enlarged, that, until the time of Queen Victoria, while they possessed exclusive powers in all that related to the revenue, they also formed a court both of law and of equity.

The progress of the ecclesiastical courts was something similar. To the diocesan court men often agreed to refer their suits for arbitration, and so it virtually became a court of equity, long before the Court of Chancery had been invested with that character.* The decisions were given in equity, rather than according to the strict letter of the law, by which the other courts were bound. The jurisdiction of these courts, in all that related to the clergy, and to all cases of a purely ecclesiastical character, is intelligible. With these

* The equitable jurisdiction of the Court of Chancery, according to the best authorities, only dates from the reign of Edward III. What is stated above may suggest one of the reasons why the clergy were for a long time regarded as the persons most competent to discharge the duties of the Lord Chancellor.

CHAP. I. Introductory.

powers they were, from the beginning, invested. But the question soon arose, as to what are ecclesiastical causes, and who are the clergy subject to the spiritual judge. Marriage is a religious as well as a civil contract.* Consequently, all matrimonial causes were regarded as causes to be decided in the Court Christian. To these courts, therefore, belonged all cases of divorce and jactitation of marriage; matters relating not only to legitimation and bastardy, but also to marriage settlements. But this was not all. To the spiritual judge, with the consent of the other judges, were relegated all cases bearing upon contracts. We can hardly understand why—but an indisputable fact it is, that, in the ordinary courts of justice, there was no power to compel the payment of a contract. But if the contract were confirmed by oath, an oath was a thing sacred; and consequently, the violation of an oath could be punished in the spiritual courts.† Then again, testamentary bequests came under the cognizance

* According to Glanville, quoted by Spence, the jurisdiction of the Ecclesiastical Courts in regard to marriage was *propter mutuam affidationem*, vii. c.

† "Creditor ipse," says Glanville (x. c. 12), "si non habet inde vadium neque plegios, neque aliam diracionationem nisi *solam fidem*, nulla est hæc probatio in curia Domini regis; verumtamen *de fidei læsione* vel transgressione inde agi poterit in curia Christianitatis; sed judex ipse Ecclesiasticus, licet super crimine tali possit cognoscere, et convicto *pœnitentiam* vel *satisfactionem* injungere, placita tamen de debitis laicorum vel de tenementis in Curia Christianitatis per assisam regni, ratione fidei interpositæ, tractare vel terminare non potest."—Glanville, x. c. 12; et v. Bracton, 175 a. I am indebted for this reference to the great authorities of Glanville and Bracton to Spence. To Spence's "Equitable Jurisdiction of the Court of Chancery," to Reeve's "History of English Law," to the "Commentaries on the Laws of England" by Blackstone and Stephens, to Phillimore's "Burn," and to Butler's "Horæ Juridicæ," I refer the reader as my legal authorities. I quote Blackstone generally, not from Stephens, but from the edition of Mr. Christian.

of this court. In an illiterate age, the clergy were the persons, who discharged the duties now devolving upon the attorney or proctor, as well as those of the advocate and barrister. It was by them, that wills were generally drawn up. Of these and similar deeds, they were the witnesses, and they could only be impleaded in their own courts. Yet further, almost every will contained some bequest for pious or charitable uses; and to all that related to charity and piety, the jurisdiction of the spiritual judge extended. Hence, the probate of wills of personal estate—that is, their authentication as the last will of the person deceased—belonged to the ecclesiastical courts from the earliest period of their existence, until within the last few years; when the business was, together with all questions relating to divorce, transferred to a lay-court, over which a lay-lawyer is appointed to preside.

We see here a wide field open to those of the clergy, who had families to support, and who, on account of their families, had little prospect of preferment in the Church. They were either engaged in towns as advocates, or they were, as attorneys or proctors, getting up and preparing cases; while they performed, at the same time the routine of clerical duty in their parishes. Unfortunately, they were many in number, and they were interested in promoting litigation. Their legal interests and their clerical duties were thus directly opposed, the one to the other. They were not slow to remind the judges—and the provincial judges, equally interested in the subject with practitioners of their courts, lent a willing ear to their monitions—that the spiritual courts were originally constituted, to meet those cases of delinquency which no human law could reach. They were intended to deter men by censures, involving temporal penalties, from every breach of morality and

CHAP. I. Introductory.

every offence against the law of God. Every offence contrary to piety, justice, and sobriety, might be tried in the Court Christian. Hence there was scarcely a single person, in any one parish, who might not receive a citation to appear before an ecclesiastical judge, if a pettifogging clerical attorney scrutinized his conduct with a malignant eye, or with a view of proferring his silence as a marketable commodity. A man might not be guilty of intentional blasphemy; but when little restraint was placed upon the angry passions, an oath might escape from him, which would cause a journey to the cathedral town, and the payment of a fine, unless he bribed his persecutor not to prosecute. He might be a consistent hater of heretics, but, when religious opinions were beginning to be discussed, he could hardly open his mouth, without uttering something which might be twisted into a heresy. If he neglected public worship, or did not conduct himself with proper decorum—or if, decorous in public worship, there were any of the sacraments, which he had not carefully observed—if he did not regard, as few did, the canons which enjoined the observance of the Lord's-day—he was liable to be accused of an offence against piety. If he could pay, he was made to pay, either by satisfying his accuser, or else through a penalty imposed by the judge. The parish officers were strictly watched; although the church did not always profit by the vigilance of the clergy armed at all points of law. If the church was not properly repaired, or the churchyard fenced; if the churchwarden was not prepared to give an account of the church stock and goods; if he neglected to collect the tithes under a sequestration, he was liable, with such of the parishioners as, at any time, defrauded the non-resident incumbent of his tithes or offerings, to be summoned as an offender for one or

all of these offences, unless he found means of settling the affair with the archdeacon or rural dean. The sins against sobriety were more open sins; but here the laity had a means of defence. Their accusers were, themselves, liable to prosecution in this respect; and compromise, in this and other matters, was often settled at the festive board. That of intemperance, too, many of the inferior clergy were guilty, we learn from Piers Ploughman—

> "Pacience was proud
> Of that propre service,
> And made hym murthe with mete;
> As I mornede evere,
> For this doctour on the heighe dees
> Drank wyn so faste.
> Væ vobis qui potentes estis ad bibendum vinum!" *

But the most offensive proceedings, on the part of these low ecclesiastical lawyers, had relation to the marriage laws. At one period, marriages were declared to be unlawful so far as the seventh degree. The severity of this regulation was relaxed in the thirteenth century, when those who were not more nearly related than third cousins were permitted to marry.† But then

* Piers Ploughman, 8147.

† The law of marriage even now presents a difficulty to missionaries introducing Christianity amidst the lax morality of heathen tribes. In the early Church, it was necessary to make regulations to prevent polygamy, the facility of divorce, and what we still call incestuous marriages. With reference to the cases last mentioned, the Church at first introduced the old Roman law, which prohibited marriages between collateral relations in the second degree; but when the Church of England was first established, under Augustine, an opinion prevailed that no marriages were lawful so far as the seventh degree. Gregory the Great, in writing to Augustine, as we have seen in the first book, asserted that it could only be the third or fourth generation of the faithful

CHAP. I. Introductory.

we have to remember, that not only consanguinity, but spiritual cognation, was an impediment to marriage. There was a spiritual relationship between the clergyman who baptized a child, the sponsors of the child, and the father of it. There was a *paternitas* between the person baptizing and the child baptized, the sponsor and the child. There was a *fraternitas* between the children of the person baptizing, and those of the sponsor of the child baptized. Such cognation, in either of these instances, was an impediment, which would obstruct marriage, or dissolve it if contracted. Again, the degrees of affinity were calculated by the same rule as those of consanguinity. Many difficulties would also arise from espousals and pre-contracts. Most of these impediments might be removed by dispensations, to which the opulent generally had recourse. To the middle classes and the poor, however, the expense was

who could be lawfully joined in matrimony. He speaks doubtfully, without laying down any law upon the subject. But, in an epistle to Felix, quoted by Ducange, he states his opinion, that marriage was unlawful in the seventh degree. From that time, the legislation of the Church was based on this principle, until the Fourth Council of Lateran, in 1215, when marriages in the fourth degree were permitted. It is difficult, as Mr. Hallam remarks, to see the object of this regulation; and he attributes it to the ascetic temper of the age. His opinion is strengthened by the fact that, as the ascetic temper was modified, the legislation of the Church was also modified. It could not have been for the purpose of enriching the Church by dispensations, because, as the same writer, with his usual acuteness, observes, it was not till the twelfth century that the system of arbitrary dispensations was introduced. Consistently, however, with this assertion, we may remark, that when the rigid discipline was relaxed, at a period of much corruption in the Church, and when the papal power was at its height, the pecuniary advantages of relaxing it through dispensations was not overlooked, even admitting that there still lingered a desire to discountenance, while legalizing, these connexions.

a serious impediment; and marriages were contracted which were voidable, but not void until brought under the cognizance of the spiritual court. The whole question of cognation was one so difficult to be understood, that many a married couple were not aware of their having violated the law, until their case had been ferretted out by some sompnoure,* who carried misery into families, merely that he might obtain his hush-money. Too many of the clergy thus forgot their proper vocation, and, undertaking the office of him, who is emphatically the accuser of the brethren, brought odium upon that sacred calling, in which, as we shall presently see, there were many still serving their God and lamenting the state of the Church.

Disgrace was brought upon the clerical order by another legal fiction, originating in a good and charitable purpose—a fiction which did its work of charity down to our own age. The ecclesiastical courts had a criminal jurisdiction, arrived at by a process similar to that, which we have just described. The clergy had the privilege of being tried in their own courts, and a great privilege it was. Down to our own times the savage character of our criminal code was regarded as a disgrace to our country, and its reform was only prevented by the timidity of the weak, who were under the persuasion, that the dangerous classes, as they were called, could only be kept in awe by the extreme penalties of the law. The spiritual judge, however, could not pronounce sentence of death. The clerk, convicted of a crime, could, for the first offence, only be sentenced to degradation and excommunication. When excommunication, through the scandalous manner in which the bishops

* The character popularly attributed to this officer—the summoner, or server of summonses—may be seen in the Freres Tale in Chaucer. It is, of course, a caricature, but founded on truth.

CHAP. I. Introductory.

had employed it to serve party and political purposes, and through the increasing irreligion of the age, had become a *brutum fulmen*, the bishops had prisons attached to their courts;* and the convicted criminal was condemned to imprisonment, with that amount of other punishment, which the judge might include under the name of penance. To become subject to this milder jurisdiction was, of course, the desire of many; and the desire was encouraged by the humane, and met more than halfway by the rulers of the Church. The name of *clericus*, with its attendant privileges, was conceded to all the servants of the clergy, whether secular or regular; to all inmates of monasteries, male and female; and to those who waited upon them. At length, the bishops freely granted the tonsure to all who could read, however imperfectly.† A person accused, when

* The prisons of the bishops were called very generally, when popular feeling was against them, Lollards' Towers, as if to represent them as especially given to persecution. The fact, as we shall hereafter see, was, that the bishops were by no means the most active in the persecution of the Lollards—a political party. But heresy was treason, and treason heresy; and, as the Lollards sought revolution in the Church as well as in the State, the bishop, acting conjointly with the civil authorities, had to take the initiative in the proceedings against them.

† Blackstone, Book iv. ch. i., observes that it was a melancholy truth in his time, that among the variety of actions which men are liable to commit, no less than 160 were declared to be felonies without benefit of clergy. The benefit of clergy, introduced, as we have seen, to mitigate the ferocity of civil legislation in the middle ages by a legal fiction, was permitted to have effect, until the measures of Sir Robert Peel, for the reform of the criminal code, had passed into a law, in the reign of George IV. Benefit of clergy had, in fact, been long the form, under which the severity of the law was evaded, and the punishment of death commuted for transportation, imprisonment, or whipping. The principle, "nolumus leges Angliæ mutari," has been so engraven on the English mind, that we are happy to sanction the evasion of a bad law, if only we

standing before the judge, in one of the king's courts, had only to point to his tonsure, to claim a trial in the spiritual court. If there was doubt upon the subject, a book was brought, and if he could read, he was remitted to the spiritual court, where, whatever else they might do, the authorities could not deprive him of his life. At first, this system was not much abused, and an impulse was given to learning. But when once the ability to read became more common, and the amount of that ability not severely tested, there were a class of men going over the country,

"Mendici, mimi, balatrones,"

who called themselves clerks, and brought such disgrace upon the clerical name, that the enemies of religion, wilfully confounding them with the clergy properly so called, not only found ground for scoffing, but denounced the whole system of the spiritual courts; as the means of encouraging the commission of crime, and of bringing into peril the peace of the country.

We have seen, that the diocesans of England delegated to certain non-diocesan prelates the peculiar religious offices pertaining to their order; and their powers of discipline they permitted to devolve principally upon the archdeacons. The archdeacons were generally selected from the class of clergy, of whom a description has been given above; and when the bishop's eye was evil, we do not marvel to find evil predicated of the whole body. Through the policy or the negligence of the diocesans, the archdeacons obtained large powers. They used them to establish

may be excused from repealing it. When we speak of punishment of death recorded—meaning that the criminal is not to die—we cling, like our ancestors, to a legal fiction.

CHAP. I. Introductory.

courts of their own, and they made these courts too often the means of enriching themselves. There were many and great exceptions to be made in favour of the archdeacons; but some people recognised the truth which was transparent through the caricature of the satirist, when Chaucer wrote as follows :—

"Whilom there was dwellyng in my countre
An erchedeken, a man of gret degre,
That boldely did execucion
In punyschyng of fornicacioun,
Of wicchecraft and eek of bauderye,
Of diffamacioun, and avoutrie,
Of chirche-reves, and of testamentes,
Of contractes, and of lak of sacraments,
And eek of many another maner cryme,
Which needith not to reherse at this tyme;
Of usur, and of symony also;
But certes lecchours did he grettest woo;
They schulde synge, if that they were hent;
And smale tythers thay were fouly schent,
If eny persoun wold upon hem pleyne,
Ther might astert him no pecunial peyne.
For smale tythes and for smal offrynge,
He made the peeple pitously to synge.
For er the bisschop caught hem in his hook,
They weren in the archedeknes book:
And hadde throrgh his jurediccioun
Power to have of hem correccioun."

Then follows a passage, which is here given, to confirm the statements which we have made, with a view of accounting for the extreme unpopularity, into which, from the mal-administration of the discipline of the Church, the secular clergy had fallen. Of the exaggerations of satirists, and of the many good clergy who still existed in the parishes, we shall have occasion to speak presently; but they were all involved in the disgrace brought upon their order, by

those who were prominent in public places. The archdeacon * had

> "A sompnour redy to his hond,
> A slyer boy was noon in Engelond;
> Ful prively he had his espiaile,
> That taughte him wher he might avayle:
> He couthe spare of lecchours oon or tuo
> To techen him to four and twenty mo."

IV. While the bishops permitted the pastor to merge in the patriot; and while the lower clergy became too often what we should now call pettifogging attorneys; the worldliness of the abbots and monks took another direction. They were the productive labourers. The Benedictine monks, says Guizot, were the agriculturists of Europe. While the statesmen and warriors vindicated the honour and the independence of the country, the monks added to its material wealth. They cleared it on a large scale, associating agriculture with preaching. A colony or swarm of monks, not very numerous, at first, transported themselves into uncultivated places; and thus, at once missionaries and labourers, they accomplished their twofold task, often attended with as much danger as fatigue.†

Land was granted to them on easy terms; and if sometimes they were as fraudulent, as the patriarch

* Archdeaconries were seldom well endowed: the archdeacon received a portion of his income from fees. This secured his residence. An aspiring man would sometimes take the office as a stepping-stone, but would soon resign it, unless either the office, as an exception to the rule, happened to be endowed, as was the case at Canterbury, or unless he could come to terms with his deputy. The endowment of an archdeaconry made matters worse in the diocese. The bishop made the archdeacon his deputy; the archdeacon would permit the duties to devolve upon his official, the deputy's deputy.

† Guizot, Civiliz. en France, Leçon xiv.

CHAP. I. Introductory.

Jacob, in their bargains; the mess of pottage, which the vendors received for acres unprofitable to themselves, though adding to their dignity, was luxurious hospitality, to be accorded to them and their posterity as a matter of right.

While the Benedictines were the cultivators of the soil, the Cistercians were the growers of wool—the staple, at that time, of the country's wealth. To the monks, in short, England was, for a long period, indebted for food and clothing; and, indirectly, for much of its prosperity in commerce and trade. When monks became wealthy, they naturally became desirous to spend their wealth, first in the purchase of comforts, and then of luxuries. In these they would have had every right to indulge, if such indulgences they had not sworn to eschew. The abbot became an aristocrat, and his chapter were as the younger members of an aristocratic family. The inferior monks were the active men of business, superintending the farms, and attending the fairs and markets to sell and to purchase.

In exchange for the produce of the soil and the flock, the trader appeared at the abbey gate. It pertained to the royal prerogative to grant a licence for holding a fair at certain times. The licence was, however, to be purchased, and the monasteries were both able and willing to meet the royal demand, at a time, when the privileges of a fair were many and great. The first fairs were held within the precincts of the abbey, and the very church would be converted into a kind of bazaar. Tents were pitched to accommodate the multitude, until, at length, the tents became permanent abodes, and a town was formed. Tolls were levied. There were extra services for the devout; sports for the gay. The tastes and wishes of the pilgrim, the merchant, and the idler were all consulted. Under the

lord abbot, a strict police was formed, and a court of justice was opened, under the name of the Court of Pié Poudré (powdered feet).* To facilitate the purchase of their crops and their wool, the monks repaired the roads, erected bridges, and established guides to see the traveller safe across the pathless down or the intricate forest.

At the same time, the greater monasteries were eager to obtain a privilege, which, when granted, became most injurious to their discipline. They denied the right of the State to interfere with their government; and they obtained, by spending their money freely at Rome, exemption from the jurisdiction of the Church.† The abbots, in the state they kept, and in the robes in which they officiated, were scarcely distinguishable from bishops. Bishops they were in jurisdiction, and in everything except the discharge of those functions, which are inalienable from the episcopal office. For the discharge of those episcopal functions connected with ordination, confirmation, and consecration, they had recourse, not to the bishop of the diocese, whom they jealously excluded, but to some of those bishops *in partibus* to whom allusion has been already made. Defying the authorities of the country, ecclesiastical and civil, they would acknowledge no authority to visit, reform, or control them, except that of the pope. They thus came to be regarded as foreign institutions, while, at the same time, a monastery was, as a college in a modern university or a regiment in the army—very much what the superior, for the time being, made it. The head of a college, or the colonel of a regiment,

* See "Memoirs of Bartholomew Fair," by Henry Morley.

† How fanatically the monks would labour to obtain exemption for their monasteries may be seen in the very interesting "Chronicon de Abingdon."

CHAP. I. Introductory.

gives a tone to the whole society; and a good abbot might render an abbey and its affiliated institutions what they ought to be. But, as the heads of the monastic institutions were elected by the monks; electors would not unfrequently look out for a lax and easy superior. From a prevalent want of discipline in most of these institutions, a fearful state of immorality too often ensued. The celibacy imposed upon monks, whether in holy orders or not, had a more demoralizing influence upon them, than it had upon the secular clergy. The secular clergy took to themselves wives, though, in doing so, they felt themselves to be lowered in the estimation of their neighbours; but the monks, being in a community, could not evade the law in this manner, and the licentiousness of their conduct became proverbial.

Throughout the middle ages, and down to the time of the Reformation, there were some monasteries which preserved their character, as schools of learning, or as places, in which the demand of the higher class of minds for meditative comtemplation might be met. But notwithstanding all that has been urged in favour of monasteries by sentimental and romantic writers of late years—notwithstanding the important services which they rendered, as we have had frequent occasion to assert, at an earlier period of our history—every one, who has impartially examined the subject, will subscribe to the statement made by Pauli, when he remarks that, in the twelfth century, we first see the exalted, the almost childlike and grateful devotion with which the people had hitherto looked up to the monastic institutions, beginning to decline. For a time, a certain mutual respect was felt by both parties; but this was soon changed, on the side of the people, into uncontrollable hatred and contempt.

Of the hostility existing between the monastery and the Church, there were evident signs in every city and in all large towns. If we may compare great things with small, the chapel of the monastery, like the rival chapels of a modern cemetery, was seen to frown, in stern opposition, upon the cathedral. The zeal of the monks was often shown, in defying the bishop and his canons. If the chapter of the cathedral consisted of regulars, the hostility was the greater; for the monks of a cathedral were regarded as a hybrid race. St. Augustine's stood opposed to Christ Church, at Canterbury; Westminster Abbey to St. Paul's, in London. Worse consequences than schism ensued. From a spirit of rivalry, quite as much as from pecuniary considerations, the greatest exertions were made, by offering objects of attraction to devotees, to create partizans. For this purpose relics were sought, and they were soon invested with miraculous powers. We live in an age, when the spirit-rapper finds believers, among those who think it a mark of superior intelligence to discredit revelation; and it is not, therefore, for us to attempt to distinguish between the wilful deceivers, the self-deceived, and the dupes of a bygone age. We can only say, that when there was a demand for the miraculous, the demand was met. So long as it was met, those who were at the head of affairs did not trouble themselves to investigate the means, by which the end was obtained. A wonder-working shrine was a mine of wealth.

What began, perhaps, in rivalry between the monastery and the Church, was still further perverted into the means of obtaining money. If money was required to rebuild or restore a sacred edifice; a relic was purchased, or the canonization of a local hero was procured. His shrine was visited by enthusiasts, who felt

CHAP. I. Introductory.

or declared, that their bodily infirmities were relieved; and when this kind of enthusiasm died away, or was confined to a few localities, the iniquitous system of indulgences was introduced. By offering alms and prayers, at a shrine richly endowed by indulgences, the misled people expected a relaxation from the pains of purgatory for themselves or for their friends. When, with the revival of learning, a spirit of free inquiry was awakened in Europe, from these superstitions the mind revolted. A description of foreign places was no longer a monopoly of the pilgrim. When the traveller and the merchant first announced the fact, that the canons of Cologne and also the monks of Rome, respectively, claimed to possess the body of St. Alban, it is probable, that, at Verulam, the devotees of the proto-martyr of Britain received the intelligence with indignation and scorn. With a devotion impassioned by party spirit, they continued to kneel at that spot, where his resting-place was said to have been revealed by the saint himself to Offa, king of Mercia. They spoke, probably, in terms harsh and severe of the foreign priests, who allowed such superstitions on the banks of the Rhine and the Tiber. But when, upon comparing notes, it was found that, if the monks in different localities were to be believed, there were of John the Baptist four shoulders, eight arms, eleven fingers, in addition to twelve whole hands, thirteen heads, and seven bodies—when innumerable other tales, equally incredible, were related—we are not surprised to hear, that men were made sceptics, and that scepticism passed rapidly into infidelity.

V. Thus, long before the suppression of the monasteries, the monks had fallen into disrepute; and the public were beginning to regard monasticism as an effete institution, an institution which had done its

work. The reader may be referred, for a confirmation of this assertion, to the Apocalypse of Goliæ, and the works attributed to Walter Mapes; to the Order of Fair Ease, in the Political Songs; to the Poem on the evil times of Edward III.; to other contemporary works; to Chaucer; and particularly to the Vision of Piers Ploughman, from which quotations have been already made. But, after all, the condemnation of the clergy, regular and secular, is most emphatically pronounced by the institution of the Mendicant orders.* The Mendicant orders came into existence, because, in the task of evangelising the people, the clergy were unwilling or incompetent to do what the circumstances required. The superior clergy were, as we have seen, absorbed in the world of politics. The inferior clergy were employed in prosecuting rather than instructing their flocks; while those among them who endeavoured conscientiously to discharge the duties of a pastor, were involved in a routine of ceremonial observances. The monks were living as country gentlemen, not always of high repute.

In the meantime, the population of the towns in-

* The Dominicans, or Black Friars, came to England in 1212. They were called also Friars Preachers, from the circumstance that when the Pope, on some occasion, was going to write to Dominic, he said to the notary, "Write to Dominic, the preaching brother." From that time, they were called Friars Preachers.—(Jansenius, *Vita Dom.* vi. 44.) The Franciscans, Grey Friars, or Friars Minors—Minorites—came to England in 1224; they were the most influential of the friars in this country, as the Dominicans were in France. The Carmelites, or White Friars, first appeared in England in 1250. The Augustines, or Austin Friars, called also Friars Eremites, came to England in 1252. There were some inferior orders, such as Friars of the Sack, Fratres de Sacco, or Saccati, Friars of Our Lady, Fratres de Domina, and others who never arrived at eminence in England, and to whom we shall not have occasion to refer in these volumes.

CHAP. I. Introductory.

creased. Then, as now, the contrast between riches and poverty was, from their juxtaposition, painfully apparent in the towns. The cities were advancing rapidly in wealth, independence, and political importance. But the pauper population was, at the same time, increasing, as in numbers, so in misery. Thither the villeins had repaired, who sought refuge from the tyranny of their lords. From them descended a lawless race, ready to be employed in every desperate adventure. Unfortunates, too old or too idle to work; men who had been employed in the wars, and discharged; and others who, having seen better days, under the employment of the merchants, had become the victims of that intoxication, which has been the curse of our race ever since the invasion of the Danes; these were neglected or overlooked by the clergy; and to this class, the Mendicants (in England, more especially the Franciscans) went forth as missionaries. The rapidity of the rise, the success, the prosperity, the corruption, and the disgrace of the Mendicants is one of the most startling facts of mediæval history.

At first, we find the Mendicants poorer than the poorest, in order that they might learn to sympathize with the most abject of their fellow-creatures, and, from an experience of their sufferings, bring the gospel home to their hearts. In "Stinking Lane," and in alleys deserving a title as bad, these holy men were to be seen. At every corner they stood, preaching the gospel. They were friends and associates, without sharing the vices, of publicans and sinners. Their sermons were not intended, as many sermons then were and still are, to support any system of doctrine. They were not addressed to the reasoning powers of mankind, or with a view, merely or chiefly, to impart instruction. The preachers spoke from the heart to the

heart. They told of all that they themselves had felt through the inspiration of the Holy Spirit. Under His guidance, they had sold all, and dwelt in the midst of filth and vice, in the hope, that other hearts might be taught to glow with that love of God, which influenced their own. By the sick bed, in the hospital, and the lazar-house—there, in the abodes of death, whence all others were flying, we see the friar, fearless in the midst of infection, and giving to the dying the kiss of peace; sometimes, in the wildness of fanatical charity, kissing the infectious wound. The Dominicans and Franciscans, destined afterwards to be such bitter opponents of each other, expressed, at first, only the rivalry of friendship, in a common emulation to do as much good as could be done by man acting under divine impulse. The Dominicans were the preachers, who denounced sin, while pitying the sinner. The Franciscans sought rather to win men to Christ. As they entered the den of affliction, they exhorted others to follow their example, since He who was with Daniel in the den of lions was still a God at hand, and not a God afar off.

From the lazar-house the friars soon passed to the sick chamber in the castle and in the palace, for sickness brings all to an equality. The practical wisdom which the mendicants displayed, in contradiction to the stereotyped notions of the clergy; and their knowledge of the world, so different from the mere book-learning of the monk, would incline the sick man, whom their skill in medicine had restored to health, to admit them to his councils, and to consult them in his most private concerns. So early as the year 1259, Matthew Paris relates that the Franciscans and Dominicans had already erected magnificent buildings in England; had amassed immense wealth, ever interfering with the wills of the

CHAP. I. Introductory.

rich and noble. They were acting as counsellors, chamberlains, treasurers of kings. As agents of papal extortion, they were incessantly applying the arts of flattery, the stings of rebuke, or the terrors of conscience, to compel men to give. They brought the parochial clergy into contempt. They despised the older orders.*

In the distracted and divided state of the Church at that time, we must make due allowance for the exaggerations of a Benedictine monk. Nevertheless, there must have been much of truth in his assertions, or the jealousy of his order would never have been excited. The statement of Matthew Paris is confirmed by later authorities, especially in what relates to the conduct of the brethren in their attendance on the wealthy :—

"Si dives in patria quisquis infirmetur,
Illuc frater properans et currens monetur ;
Et statim cum venerit infirmo loquetur,
Ut cadaver mortuum fratribus donetur
With an O and an I, ore petunt ista,
Dum cor et memoria simul sunt in cista.

Quod si pauper adiens fratres infirmetur,
Et petat ut inter hos sepulturæ detur,
Gardianus absens est, statim respondetur,
Et sic satis breviter pauper excludetur.
With an O and an I, quilibet est negans,
Quod quis ibi veniat nisi dans vel legans." †

From the statement of Matthew Paris, it appears that their evasion of the vow of poverty occurred earlier than we should have expected. It was not, at first, the intention of Dominic, that his brethren should not be possessors of property, but it was found, that they

* Matthew Paris, 845.

† Political Songs, i. 257 : On the Council of London.

would have no chance of success, unless they brought themselves to a level with the Franciscans. The vow of poverty was evaded in the monasteries, by the assertion, that the proprietorship of all their wealth was vested, not in individuals, but in the community. The mendicants required their community, as well as its individual members, to be poor. But they permitted property to be placed in the hands of trustees, to be expended for the good of the order; and the money was to be spent as the superiors might direct. As with most evasions, the result was evil.

Those among the mendicants, who were employed in kings' houses, or who were called to high offices in Church or State, could command any sums of money that were requisite to enable them to maintain, for the good of the order, their high position in society. But the inferior members, though they could share in the luxury of the friaries when at home, were required, when abroad, to support themselves by begging; and, by the same process, to raise an increase of income for the general treasury. These sturdy beggars began to bring disgrace upon the order, at the very time, when the more respectable of the brethren were distinguished, not only in the courts of kings, but in the palaces of learning.

When the mendicants became students, there was again an evasion of their rules, though a less unworthy evasion. Francis of Assisi, whose wisdom was practical, and whose temper was enthusiastic, not only contemned learning, but regarded anything, beyond the ordinary scholarship, which would enable the brethren to read the Bible and their offices, as positively mischievous. He thought it would render the preaching of his brethren scholastic, rather than practical. Preaching itself was, in his estimation, a secondary consideration.

CHAP. I. Introductory.

He thought chiefly to win men to Christ, through the rhetoric of a holy life based on acts of self-denial. He almost prohibited the use of books. But this regulation was found, after a time, to be impracticable; and the more so, since the rule was not so stringent in the rival order of the Dominicans.* The process by which the rule was set aside was easy and natural. To the friars pertained the care of the sick and the superintendence of the hospitals. They were the guides, the stewards, the sole attendants of the lepers. To obtain a hearing for their sermons, like modern missionaries, they found it necessary to prescribe for the bodily ailments of those, whose attention they would gain through their hearts. To follow their vocation, therefore, it was necessary, that they should become students of medicine, and acquire some surgical skill. Being thoroughly in earnest in whatever they undertook, they soon assumed the lead in the various branches of physical and experimental philosophy. In the thirteenth century, all the chief physicians were found among the friars.

But this was not all. Prepared for every good work, the friars were the chief missionaries of the age. To qualify themselves for missionary labour, those who were ordered upon this service had to devote their early

* Although no individual among the Dominicans could possess a book, yet libraries might be acquired by the whole society. This advantage the Franciscans did not possess—they could only borrow books. The first Franciscans who betook themselves to scientific pursuits were thwarted by their superiors, more consistent to their constitution than themselves. Roger Bacon represents in strong terms the difficulties with which he had to contend. His Superior asks, "Why could he not be content to do as others did? Why trouble himself and the world about matters of which the world knew enough already? It enjoyed too much light. Philosophy had already reached its perfection!"—*Opus Majus*, p. 2.

years to the study of languages. Becoming linguists, they found their company desired, on their return home, by the merchants, who resided in the towns and cities; to the conversion of which the first thoughts of the mendicants were devoted. Among the middle classes, now rising, in the twelfth century, into importance, and growing more and more discontented with the existing state of things, infidelity was making considerable progress. From intercourse with the Orientals, certain Manichean notions had, strange to say, become prevalent in Europe, especially in Spain and the south of France. The merchants of London, Bristol, and Norwich, were in frequent communication with Provence and Languedoc, as well as with the provinces of Valencia and Catalonia. It was a kind of heresy, which the friars were the better calculated to refute, from their attention to what was human in the science of theology; and from their inclination to elevate our nature, as redeemed in Christ, in opposition to the depreciation of all that is animal in man, which was the aim of the monks. But when the friars began to discuss, there were ἀλύτοι ἀπορίαι which rendered it necessary, that they should become versed in the philosophy of the ancients, as well as in that theology which sought to render the learning of the heathen world subservient to the cause of Christianity. The friars soon had their schools in the Universities.

The Dominicans assumed the lead at Paris; the Franciscans at Oxford. The friars effected a reform in the University. The road to preferment, it will be recollected, was not through theology, literature, and science, but through law. The Universities, in consequence, to meet the demand, were, for a long period, devoted almost exclusively to legal studies. The greatest of the friars, Roger Bacon, is our authority, though others

CHAP. I. Introductory.

might be produced for this statement: "In the Church of God," he observes, "one civilian, although acquainted with the civil law alone, and ignorant of the canon law and theology, is more praised and promoted to ecclesiastical dignities than a master of theology." "Would to God," he continues, "that I could see these quibbles and frauds of the jurists banished from the Church, and causes decided, as they were decided forty years back, without this rattle of litigation. Then the regimen of the Church would be glorious and in harmony with its true dignity. Then the study of theology, of the canon law, of philosophy, would be exalted and perfected; then princes and prelates would give benefices and riches to professors in this high faculty; studious men might have some provision for life and for the pursuits of science. For there are many, and there would be more, who would never desist from the pursuit of philosophy until they had completed it, if they could obtain their expenses. Some would perfect theology, some philosophy; some would rectify the canon law and reduce it to its proper condition. But civilians and lawyers, handling the canon law like civilians, now-a-days receive all the good things of the Church, and the provisions of princes and prelates, so that others cannot live by study, or follow the path of philosophy. Either they make a brief stay at it, or omit it all together, and take up the civil law without any previous acquaintance with theology or philosophy. Not that they care much for the canon law, except so far as it tends to the glorification of their civil science; and thus the whole study of philosophy goes to ruin, and with it the whole regimen of the Church; peace is driven from the earth, justice is denied, and evils of all kinds ensue."* A change

* Opus Majus, 84. See Brewer's Preface to the Opus Tertium.

was soon effected by the zeal of the mendicants; and Oxford became so distinguished, among the Universities of Europe, that, in the thirteenth century, it supplied professors to Paris. From Oxford proceeded some of the first schoolmen of the age. Among them, Alexander of Hales, Duns Scotus, and Occam.*

With the prosperity, however, of the mendicants, came corruption. There are several treatises of Bonaventura, the celebrated Franciscan, in which, even when defending the order against the attacks of William St. Amour, he denounced the abuses already prevalent, and called for their removal. Instead of being removed, the evil increased. No effectual measures were taken, to control those who made begging, instead of learning, their first object. The country was filled with beggars, who had gained easy admittance into some one or other of the mendicant orders. So early as the year 1295, or 1296, they were exempted from episcopal jurisdiction. They were not amenable to the ecclesiastical courts: they were invested by Pope Alexander V. with authority to receive confession and to give absolution in every parish in every part of the world. To the Dominicans was granted the sale of indulgences. Indulgences (often forged), nostrums, and charms, were freely vended to the many, who could be found to purchase. Their cant enabled them to find easy access to the firesides of the superstitious and the weak. They sympathized with the women; they inveigled children into their order.

* The mendicants occasioned discord in Oxford. Oxford was anti-papal, and consequently opposed to the study of the canon law, or at least to the urging of that study upon the students. The mendicants were the advocates of the pope, and strongly urged the study of the canon law. It will be necessary to remember this, when we read of the hostility at Oxford to an order which, in other respects, brought credit to the University.

CHAP. I. Introductory.

Their jocularity and ribaldry made them the welcome associates of the licentious and profane; and the more so, as they were willing to make themselves the butt of the rude, as well as to create a laugh by their own readiness and wit. They were, everywhere, the advocates of the pope, and enemies to the independence of the Church of England. To the clergy of the English Church they were odious. They not only set up altar against altar, but delighted in turning the parish priest into ridicule, and in subverting all his efforts to benefit his parishioners. With overbearing insolence, they frequently inquired of the devout, by whom they had been confessed. When the answer was, "By my own parish priest," they reviled him as an ignoramus, a blind leader of the blind. The consequence was, that, *cum rubor et confusio in confessione pars sit maxima et potissima pœnitentiæ,* confession became a mere farce. The people were wont to say, "Let us do what we please; some one or other of the preaching brothers will pass this way—one whom we never saw before and shall never see again. To him, when we have done what we will, we can confess without trouble and annoyance." * So complains Matthew Paris; and whatever our opinion of confession may be, we can easily understand the demoralizing effect of such a proceeding as this. The friars thus filled the land with schism; and never were there dissenters so numerous, so bitter, and, we must add, so regardless of the first principles of morality.

They worse confounded the confusion of the religious world by being divided among themselves. The Franciscans and Dominicans learned to hate one another with all the bitterness of sectarian hatred. Among the learned members of the two orders, the Dominicans

* Matthew Paris, 608, ad ann. 1246, p. 693 f.

were Nominalists, the Franciscans Realists. The uneducated partizans, on either side, enforced their opinions with all that unenlightened zeal by which, at another period of our Church's history, the tenets of Calvin and Arminius were defended or attacked. The Franciscans were enthusiasts for the figment of the immaculate conception of the Virgin Mary—a notion which the Dominicans reprobated and opposed. The several mendicant orders forgot their common Christianity, in their sectarian zeal to add to their respective sects. This sectarian principle is depicted in vivid colours by an imitator of Longland, the author of "Piers Ploughman's Creed." He represents himself as being in search of a creed. He inquires of the Franciscan, he inquires of the Dominican, he inquires of the Carmelite, he inquires of the Augustinian; and one answer, not the same, but precisely similar, he received from each. It was a negative answer. The Franciscan told him not to believe in the Dominican. The Dominican warned him against the Franciscan. So was it with the other orders. He was to disbelieve what each of the three other orders accepted as peculiarly important, and to accept what was believed by the order to which the friar who was consulted belonged. A positive answer the inquirer only found when he applied to a poor ploughman. The ploughman differed, in every respect, from the friars, for he represented the Divine Wisdom. The ploughman, thenceforth, became the name by which ideal excellence was personified.

From such a condition of things what could be expected? The bishops non-resident and negligent of their diocesan duties. The ecclesiastical courts no longer a blessing, but a positive nuisance. The study of theology was forsaken by the clergy, who found more profit in law than in divinity. The monasteries,

CHAP. I. Introductory.

though not castles of indolence, were seats of that luxury which their constitution condemned,—and too often of vice. The monks—agriculturists or graziers—were unmindful of that portion of their duty which related to preaching. The friars were such as we have just described them.

VI. That I may not appear to exaggerate, when I have neither object nor inclination to do so, I shall strengthen the statements I have made by the authority of the *Dublin Review*, which may be regarded as representing the more learned portion of the Irish Roman Catholics of the present day. "There are two centuries of the history of the Church, which should especially be called the dark ages; we mean the fourteenth and the fifteenth. Of course, if darkness is synonymous with ignorance, the ninth and tenth may fairly lay claim to the title; but if we take into account what may be called the moral effects of darkness — namely, confusion, perplexity, and dismay—the two centuries which immediately preceded the Reformation may well rival, if not outdo, their predecessors. The night of the tenth century was one which came in its right place and gave promise of the dawn. But the epoch, of which we speak, was an eclipse—a very Egyptian darkness; worse than chaos or Erebus—black as the thick preternatural night, under cover of which our Lord was crucified." *

This verdict, thus pronounced by two parties who look upon the facts from opposite points of view, I shall now confirm by unexceptionable contemporary evidence. Although I shall have occasion hereafter to allude to the Council of Constance, yet since none of our primates attended it, it will not be my business

* *Dublin Review*, xliv. 49.

to narrate its history. To that history, therefore, I shall briefly refer in this place; for it brings vividly before us the state of religion on the Continent, at a time, when the reformation of the Church was demanded by the highest dignitaries, civil and ecclesiastical; the zeal of the ecclesiastics, in the call for a reformation, surpassing that of the chief authorities of the State. The charges are chiefly directed against the pope and the Italian clergy.

The Council was opened on the 5th, and the first session was held on the 13th, of November, 1414. I will not quote John Huss, whose cruel death, under an act of unexampled injustice, is itself a testimony against the age; as he might be considered a prejudiced witness.

I will quote first, from the sermon of Matthew Roeder, Professor of Divinity in the College of Navarre, at Paris, which was delivered before the Council on the 30th of December. He expresses his astonishment that so many wise and understanding men had endured such horrible licentiousness as he expresses in two verses, which are characteristic of the taste of the age. Every noun of the first verse is the nominative to the verb under it in the second.

Virtus, Ecclesia, Populus, Dæmon, Simonia,
Cessat, turbatur, errat, regnat, dominatur.

Virtue, the Church, the People, the Devil, Simony,
Is fled, is disturbed, erreth, reigneth, governeth.*

"The truth is," said Paul l'Anglois, a school-doctor of those times, "that the whole court of Rome, from the sole of the foot to the crown of the head, is blinded with manifest and public error. It has made almost all the parts of the world drunk with the poison of its errors, as if it thought to measure out the Divine

* Lenfant, i. 54.

CHAP. I. Introductory.

Almighty Power after its own fancy. Everybody murmurs at it, though nobody openly complains." *

The eighteenth session of the Council was held on the 17th of August, 1415. The day after, Bertrand Vacher preached a sermon on the necessity of the reformation of the Church, exhorting the council to make use of the most speedy and effectual means to correct abuses: "especially the insatiable avarice, the untameable ambition, the shameful laziness, and the execrable pride of the clergy." On the 8th of September, the preacher, after inveighing against the corruptions of the clergy, complains that "the sacraments used to be piously administered, whereas they had now fallen into contempt, and were profaned." In the same month another preacher remarks, "When a prelate is consecrated, they ask him if he knows the Old and New Testament? I'll be judged by most of them whether they can affirm it with a safe conscience." He urges the necessity of a reformation, and quotes largely from St. Bernard, who, in his commentary on the Song of Songs, was particularly severe upon the corruptions of the times. On the 25th of October, we find the Bishop of Lodi representing the clergy as so plunged in excessive luxury and such disgraceful incontinency, that he thinks, if Diogenes were to seek for a man among them, he would find none but black cattle and swine. Equally strong on the necessity of a reformation was Henry of Abingdon,† an Oxford doctor of divinity, who preached before the Council on the following Sunday. On the 16th of February, 1416, Theodoric of Minster preached

* Quoted by Lenfant, book iii. c. 16.

† Henry de Abingdon, of Merton College, who, when there was a doubt raised concerning the precedency of the English nation before the Spanish, not only made an elegant and polite oration in vindication of it, but also for the precedency of Oxford before Salamanca. —*Wood, Annals*, i. 559.

in full council, when he accused the clergy of neglecting the study of the Holy Scriptures for the sake of applying only to the canon law and the decretals, because there they learn how to get money. "In these days," said the preacher, "the positive laws (the canon law, the decretals, and the constitutions of the popes), are advanced above the law of God and the commandments of Jesus Christ." The preacher only said in prose what Dante says in verse. After alluding to the love of money which had driven from the fold both sheep and lambs, the poet exclaims :—

"For this the Gospel now is laid aside,
The Fathers too ; and the Decretals sought
Alone, as by their margins is descried.
To these both pope and cardinals are given ;
Nor wanders e'er to Nazareth a thought,
Where spread his wings the messenger from Heaven." *

Upon the day of Epiphany, 1417, the preacher denounced the sins of the clergy and the people, and, among other things, accused them of neglecting the study of the sacred Scriptures and the preaching of the Gospel. On the 17th of January the celebrated Gerson preached, and, being unable to compress all his matter within the limits of a sermon, he published what he intended to say, as a pamphlet, in which, without despising the decretals, he expresses his regret that they should be preferred to the Word of God. He remarks: "Among those people who are called religious by way of eminence, you will see the transgression of certain constitutions, which are sometimes very frivolous, punished with much more severity than the transgression of the law of God Himself, as murder or perjury."

In August, a French abbot, called Bernard the Bap-

* Paradiso, ix. Wright's translation.

CHAP. I. Introductory.

tized, thus describes the state of society:—"I am sorry to say it, that in our days the Catholic faith is reduced to nothing. Hope is turned into rash presumption, and the law of God and our neighbour is quite extinct. In the laity, falsehood bears the chief sway, and avarice is the rule of the clergy. In the Church, the flock is divided. In the prelates, there is nothing but malice, iniquity, negligence, ignorance, vanity, pride, covetousness, simony, lasciviousness, pomp, and hypocrisy. At the pope's court there is no sanctity; law-suits and quarrels being the happiness of that court, and imposture its delight. Tyranny, rapaciousness, and simony are practised in every part of it. It is a diabolical court."

This person preached evidently under the impulse of excited feelings; but, admitting some exaggeration, what must have been the real state of things when this was an approximation to the truth? Another doctor, whose name was Theobald, delivered a sermon, a few days after, on the same subject. This discourse was in a milder strain, but this only gives the sharper point to his invectives. He reproaches the clergy for not administering the sacraments except for money; and for letting people die without the viaticum, if they had not wherewithal to pay the priest. "As to their expenses, they would rather spend their money in fools, harlequins, harlots, fiddlers, flatterers, dogs, and birds, than give to the poor. Contrary to the sacred canons, they frequent taverns and houses of ill fame; they openly keep concubines in their houses; and, notwithstanding the most gross vice, make no scruple to celebrate the holy communion."

Peter d'Ailli, Cardinal of Cambray, one of the great luminaries of the fifteenth century, who wrote with more moderation than most of his contemporaries,

declares, that it was the common saying, at that time, "that the Church was come to such a pass that the government of it was only fit for reprobates." *

VII. On the other hand, the denunciations of reformers must not be taken literally, or without considerable allowance. Reformers first of all exasperate themselves by exaggerating the evils they would seek to redress; and then, by increased exaggerations, they inflame the passions of those whose nature is more torpid. The dignitaries of the Church who, at Pisa, Constance, and Basle, demanded the reform of the Church in its head as well as in its members, would not have written and spoken as they did; if they had not been aware, that there were many thousands in Christendom, who, long grieving, like themselves, at the prevalent immoralities which brought disgrace on the Christian name, would respond to their call—men who had no sympathy with the Lollards and the Bohemians, except on one point, namely, the necessity of a reformation which should bear upon all, whether high or low.

We are not to forget that, during the ages denounced, great men and good abounded. Among those deep thinkers,—the schoolmen,—flourished, as we have before remarked, our own Alexander of Hales, the Doctor

* "Adeo ut jam horrendum quorundam proverbium sit ad hunc statum venisse ecclesiam, ut non sit digna regi nisi per reprobos."—Alliac. Canon. Reform. Eccl. ap. Van d'Hardt, tom. i. p. 424. The reader is referred to Lenfant, "Hist. of the Council of Constance," lib. i. 55; iv. 11, 27, 30, 35, 36, 44, 64; v. 4, 5, 47, 60, 61; vii. *passim*. To Lenfant's work Gibbon refers twice with approbation in chapters lxvi. and lxx. of the "Decline and Fall." The great work on the subject is "Hermanni von der Hardt, Historia Œcumen. Concilii Constantiensis," in six volumes folio—a work which I have looked upon with admiration, but being content with Lenfant, I have not read.

CHAP. I. Introductory.

irrefragabilis, William Occam, the Doctor invincibilis, and Archbishop Bradwardine, the Doctor profundus. The last of the schoolmen was Gabriel Biel of Spires, who died in 1495. There were Nicolas de Lyra, whose commentaries on Scripture were consulted by Luther,* and Gerson, so often quoted, who composed a harmony of the four Gospels. We must not forget Raymond de Sabiundi, the founder of natural theology. There are few among our readers, who have sought to excite in themselves feelings of devotion, that are unacquainted with the works ascribed to Thomas à Kempis; and with the writings of John Tauler, who may be said to represent the mystics of the middle ages.†

These are a few among the many distinguished

* There was an old saying in Luther's time, "Si Lyra non lyrasset Luther non saltasset." The work of Nicolas de Lyra consists of Postils, and has been published in four volumes folio. The title, "Postillæ perpetuæ in Biblia," shows that they were preached. The title of Gerson's work is "Monotessaron seu unum ex quatuor Evangeliis."

† The "De Imitatione Christi" was published in a translation and circulated by John Wesley. A question has been raised whether this work is properly attributed to Thomas à Kempis. It has been given by some persons to Gerson; and then another question arises, whether the Gerson so honoured is he of whom we have spoken above, the Chancellor of Paris, or an abbot of the same name, but not eminent for any other work. I believe, however, that they who have examined the subject critically, are now nearly unanimous in giving the authorship to Thomas à Kempis. Kurtz observes that, with the exception of the Bible, there is perhaps no other work which has been translated into so many different languages or so often printed. There is an admirable tractate of the same age, "Theologia Germanica," of which Luther spoke with great admiration, and which was at one time attributed to Tauler. This has been translated from the German into English by Mrs. Malcolm, to whom we are indebted for other translations from the German in that happy style which gives to the translation the force and charm of an original work.

writers of the age on theological, scriptural, and devotional subjects, who are mentioned here because authors imply readers. None but a poet, who is unable to prevent his mind from pouring itself out, will be found to write when there are none to read; and the age cannot have been in a hopeless state, when a multitude of men was found who were prepared to read, to meditate, and to pray.

When we look upon the sacred edifices, which adorn the land; and which we attempt, not to rival, but only to imitate, they assuredly tell us of souls as deeply impressed as our own, by the warnings, the hopes, the promises of the Gospel—souls elevated by its lofty, sublime, and glorious truths. It may be, that they thought more of the beautiful, than of the true, but they were one with us in worshipping the Good.

The controversialist who, from the time of Wiclif, has been accustomed to test the traditions of the Church, by a reference to the sacred Scriptures, will find much to condemn in the theology of the middle ages. This is not the place to enter into a theological controversy, or to dwell on those points of doctrine, which the Church of England repudiated at the Reformation, and the Church of Rome adopted, as peculiarly her own, at the Council of Trent. The historian of the mediæval Church, if he reads the past with the Bible in his hand, will deplore the doctrinal corruptions, which prevailed, and will be compelled to admit, that to that circumstance was attributable much of the immorality of the age. But he will also subscribe to the dictum of that great and good man, who was the father of Protestantism—Martin Luther—when he remarked that, in the mediæval Church, "God miraculously and powerfully preserved baptism. Moreover, in the public pulpits and the Lord's Day sermons

CHAP. I. Introductory.

He preserved the text of the Gospel, in the language of every nation, besides remission of sins and absolution, as well in confession as in public. Again, the sacrament of the altar, at Easter, and twice or three times in the year, they still offered to Christians, although they administered only one kind (*i.e.* the bread). Again, calling and ordination to parishes and the ministry of the Word, the keys to bind and loose, and to comfort in the agony of death. For amongst many it was customary to show the image of Christ crucified to those, who were dying, and admonish them of His death and blood. Then, by a Divine miracle, there remained, in the Church, the Psalter, the Lord's Prayer, the Creed, the Ten Commandments. Likewise, many pious and excellent hymns, which were left to posterity by truly Christian and spiritual men, though oppressed with tyranny. Wherever were these truly sacred relics —the relics of holy men—there was and is the true holy Church of Christ; for all these are ordinances and fruits of Christ, except the forcible removal of one part of the sacrament from Christians. In this Church of Christ, therefore, the spirit of Christ was certainly present, and preserved true knowledge and true faith in His elect." *

When we remember, that the Nicene Creed was still the rule of faith, and that the doctrine of the Trinity, the Divinity and the Incarnation of our Blessed Lord, original sin, the Atonement, the necessity of Divine grace, the obligation of good works, of repentance, prayer, fasting, almsgiving, charity, and all other Christian acts and habits, were believed or maintained, we may praise the Lord who fulfilled His gracious

* I am indebted for this quotation to Palmer's "History of the Church." He does not give the reference, but he is accurate in his quotations, and, at all events, the sentiment is correct.

promises, even when His Church, in all its branches, was passing through the burning fiery furnace of temptation and trial. Amidst the swords of barbarians, He enabled her to maintain her own as the depository of grace; and, notwithstanding the ignorance which surrounded her, He still preserved, in her sanctuary, those vital truths which constitute the only solid foundation of a Christian's hope of salvation.* When the fog is densest—when it penetrates the house itself, and all is gloom, still the gloom is partially dispelled by the fire in the grate and the flame in the lamp. We have had occasion to refer to Chaucer, as well as to Longland, for a proof of the extreme demoralization of the age, and of the ill repute, into which the clergy, secular and regular, had fallen. But we must not forget, that the most affecting portrait of a parish priest—a portrait so complete as to invite imitators, but not to create rivals—has proceeded from the pen of that great poet. And while we do not forget this, we must remember, that the description is given by a poet, distinguished not so much by the powers of his imagination, as by his keen perception of men and

* I have been censured by two distinguished critics for a tendency to preach. I should indeed be worthy of censure if I gave a sermon instead of history; but, avoiding that fault, to which I do not plead guilty, I desire to remind the reader that I should not have attempted this work, unless I thought that, in its composition, I could vindicate the ways of God to man. I glory in my office as a minister of God, Most High; and, out of season as well as in season, I must be about my Master's work. Moreover, I have accepted the principles of the Church of England as laid down at the Restoration, when the last revision took place; and, according to those principles, I give my opinion, when to assert an opinion is necessary. But, if I know myself, I can promise perfect impartiality in the statement of facts. I always endeavour to take the favourable view of human nature, and when I am obliged to suspect a motive, I incline to attribute a good motive, when a bad one is not avowed.

CHAP. I. Introductory.

manners as they were, and by the genial wit and humour, with which he could regard human nature, in its strength as well as in its weakness—or rather in that combination of weakness and strength which, in different proportions, exist in every character.

"A good man there was of religion,
He was a poor parson of a town,
But rich he was of holy thought and work.
He was a learned man, also a clerk,
That Christ's Gospel truly would preach,
His parishioners devoutly would he teach.
Benign he was, and wondrous diligent,
And in adversity full patient,
And such a one he was proved oft sithes,
For loth were he to curse for his tithes,
But rather would he give, out of doubt,
Unto his poor parishioners all about,
Both of his offering and his substance,
He could in little have a suffisance.
Wide was his parish, and houses far asunder,
But he ne'er left, neither for rain nor thunder,
In sickness, nor in mischief, for to visit
The furthest in his parish, great or light,
Upon his feet, and in his hand a staff.
This noble example to his sheep he gave,
That first he wrought, and afterward taught
Out of the Gospel he the words caught.
And this figure he added thereunto,
That if gold rust, what shall iron do?
For if a priest be foul, on whom we trust,
No wonder 'tis that a layman should rust.
And shame it is, if a priest take keep,
To see a foul shepherd and a clean sheep.
Well ought a priest example for to give
By his cleanness how his sheep should live.
"He set not his benefice to hire,
Nor left his sheep encumbered in the mire
And ran to London, to St. Paul's,
To seek himself a chantry for souls,
Nor with a brotherhood to be withhold,

But dwelt at home, and kept well his fold.
So that the wolf made them not miscarry;
He was a shepherd, and not a mercenary.
And though he holy were and virtuous,
He was not to sinful men despiteous,
Nor of his speech dangerous nor dign,
But in his teaching discreet and benign.
To draw folk to heaven with fairness,
By good example, this was his business.
But if he knew any person obstinate,
Whether he were of high or low estate,
Him would he reprove sharply for the nonce.
A better priest I trow no where none is.
He waited after no pomp nor reverence,
He made himself no spiced conscience,
But Christ's lore, and his apostles twelve,
He taught, but first he followed it himself." *

Another circumstance must be taken into consideration. Between the middle of the thirteenth century

* I have quoted the whole of this well-known passage, not only to shew, that such a thing as a good parish priest existed at this time, but also because of its negative value, in the insinuations against those who only held the high and heavenly office for filthy lucre's sake. It has been assumed by some writers that the description is intended for Wiclif, and their logic is easy. Here is a description of a good parish priest—the only good parish priest was John Wiclif; therefore of Wiclif this is a description. When we pass, however, from the regions of logic to those of history, we find it quite impossible to assent to the premisses of which we have here the petitio. It is well observed by Mr. Robert Bell, in his interesting introduction to the annotated edition of Chaucer, that there is scarcely a single point of resemblance between Chaucer's Parish Priest and the great reformer. He observes truly, that the antagonism is perfect; and if Chaucer meant to apply the sketch to Wiclif, it must have been as a masked sarcasm, and not as a panegyric. That Wiclif and Chaucer were acquainted admits not of a doubt; but that the gay and licentious poet should have been intimate with the reformer, as is sometimes suggested, is certainly only to add to the several inconsistencies of which Wiclif must stand convicted, until more of his history is known.

CHAP. I. Introductory.

and the close of the fifteenth, society was in a state of transition. Mediævalism was merging into modern civilization. A social revolution was in silent progress, requiring the adaptation of ancient customs and modes of thought to existing requirements. Revolutions, however gradual, however advantageous in the end, must be attended with many inconveniences, and frequently with some injustice. Men complain when, for a theoretical future, they are called upon to sacrifice the present. Feudalism was passing away. The barons, enriched by the French wars, had an appetite for luxury, which, except among the few who stood almost in rivalry with the king, nothing but a court could satisfy. The expenses of the noble enriched the burgher and the merchant. Land was mortgaged, and, at last, fiefs were subdivided. The commercial class became landed proprietors; but their tenure of land differed, in several respects, from that of the ancient barons. They desired to win gold from the soil, as they had done hitherto from the sea. The baron, under the old feudal system, acted towards his dependents on the give-and-take system. If of the produce of the soil he took the lion's share, still the peasant partook of the lawless joviality of the castle, and could claim the protection of his lord. There is something of love in clanship. But when the land passed to the burgher class, the principle of trade was introduced; and the object was to obtain from the peasant, the maximum of work with the minimum of pay. The clan feeling was dissipated, when fighting men, instead of following their lord to the field, became soldiers—men receiving pay; and the men, whose arrows won our victories in France, were justly indignant, when, by their non-resident lords, their services were forgotten at home. Hence there were frequent

risings among the people, with whom the House of Commons, composed of the new men, landowners or traders, had far less sympathy than the House of Lords.

It was against their immediate oppressors, that the peasants took up arms, not against the king, to whom, in the spirit of feudalism, they looked for redress. Here was class opposed to class. There was no sympathy between the higher and lower clergy: none between the upper and lower classes of the laity. Between the friars and the secular clergy there was an irreconcilable antipathy. All parties joined in accusing the traders, "quod in shoppis venditum male mensuratur;" while the burghers, having become country gentlemen, and the barons, having learned the value of the land, they all regarded with envy, hatred, and malice, the lordly possessions of the monks.*

* It is generally stated by historians, that the exclusive property of half the soil of England belonged to the clergy: this is not, strictly speaking, a correct statement. The clergy, with the exception of the bishops and the cathedral clergy, were chiefly supported by tithes, by fees, or by certain payments made by the monasteries and other religious houses, when the great tithes belonged to them. It may be the truth, or nearly so, if we speak, not of the clergy, but of the monasteries. But we are to remember, that the monasteries no more belonged to the Church in the middle ages, than the colleges of our two great universities belong to the Church, at the present time. The inmates of a monastery, like the fellows of a college, were not, all of them, or by necessity any beyond a certain number, in holy orders, though, in either case, the object of the institution was to further the cause of true religion and virtue. The monasteries formed distinct corporations, in some respects attached and in others opposed to the greater corporation, the Church of England. So distinct was the property of the monasteries, and so distinct was it kept in the acts relating to their dissolution, that the property of the monasteries could be confiscated without detriment to the property of the Church. By a reference to Gibson's Codex, it may be seen how clearly the distinction was kept in view by the lawyers in

CHAP. I. Introductory.

Complaints were made on all sides, because in the higher class of mind there was a higher aim. Prac-

the reign of Henry VIII. A similar distinction existed, and to some extent does still exist, in the towns. The various guilds and companies, though subordinate to the municipal corporations, were nevertheless independent bodies. The independence has become more complete in modern times, but even now, in public opinion, such companies as the Fishmongers' Company, or the Merchant Taylors', are connected with the corporation of London.

Whether the assertion as to the amount of land in the hands of the monasteries and of the Church, be accurate or not, I do not know. It is made, I presume, on the authority of a motion made in the House of Commons in the reign of Henry IV. The Lollards were powerful in that Parliament, and the motion was a Lollard measure, to transfer the property of the monks and clergy to the lay lords. But although there is probably some exaggeration, yet there is no doubt, that a very large portion of the land was in the hands of the monks. At the same time, it is difficult to understand why this should be urged, as it is by modern historians, to their discredit. In the place of monastery, let us write the words Joint-Stock Company, and then we shall be better able to consider the merits or demerits of the case. If certain joint-stock companies were to obtain land, either by public grant, by purchase, or free gift, in one of our colonies, it would not be considered as a reproach if they obtained a large and increasing dividend upon the successful cultivation of the soil; or if they added to their estates, and so became, in fact, the proprietors of half the colony. Whether it would be expedient for the public good to compel them to sell the property, or for the State to resume a portion of it for state purposes, this would be a totally different question. But it would not be just to make the possession of such property a crime. We have indeed lived to see an illustration of the remark just made. A trading company, by various means, some good and some bad, established an empire in India. The rights of the company were, for a season, maintained by law; and the national forces were employed to assist it in protecting its property. It became possessed of almost all the land in a certain portion of India, and established an empire. But the time came, when the anomaly of such an *imperium in imperio*, administered by subjects, was found to be pregnant with mischief, and we have lately witnessed a bloodless revolution; conducted according to the spirit of the British constitution, which

tical men saw, that much which, at one time, did good service to Church and State, was now an impediment

leaves it to the existing generation to deal as best it may with exceptional cases. The empire of India has passed from the trading company to the British Crown, and the Queen of England has become over all persons, as well as in all causes, ecclesiastical and civil, in India as in her other dominions, supreme. Precisely so, when the race of country gentlemen and experimental farmers had arisen in England, when the sword gave place to the toga, and knights and nobles turned their spears into pruning hooks, then the question was fairly asked, whether it was right to permit so large a portion of the land to remain in mortmain; and in a less justifiable manner, though on a justifiable principle, the monks were ousted. The dissolution of the monasteries was a political measure and a political necessity. Whether it would have been wise to have reformed instead of destroying some of the monasteries, and whether what was done was not done in a tyrannical manner, these are distinct and very different questions. So also is the question whether the members of an institution, established for religious purposes, could be justified in devoting their time to agricultural pursuits. But even here the offence is one of degree, for if the especial duty of a Benedictine monk was to pray and to teach, manual and agricultural labours were expressly enjoined upon his people by Benedict. The reader would do well to peruse the whole of Guizot's 14th Lecture, to which reference has been made. Long as this note is, I cannot refrain from quoting the following passage :— "The term regular clergy is calculated to produce an illusory effect : it gives one the idea that the monks have always been ecclesiastics— have always essentially formed a part of the clergy—and this is, in point of fact, the general notion which has been applied to them indiscriminately, without regard to time or place, or to the successive modifications of the institution. And not only are monks regarded as ecclesiastics, but they are by many people considered as, so to speak, the most ecclesiastical of all ecclesiastics, as the most completely of all clerical bodies separated from civil society, as the most estranged from its interest and from its manners. This, if I mistake not, is the impression which the mere mention of their name at present, and for a long time past, naturally arouses in the mind : it is an impression full of error. At their origin, and for at least two centuries afterwards, the monks were not ecclesiastics at all; they were mere laymen, united together indeed by a

CHAP. I. Introductory.

to progress; while the conservative element, always strong in the Teutonic mind, became alarmed at the extremes, into which the desire of reform was hurrying a large portion of their countrymen.

All these circumstances must be duly pondered in the mind, if we would form a correct judgment of the times before us. We must not permit the party publications of party men to hurry us into the extreme conclusion of supposing, that virtue had disappeared from the world. Nevertheless, the call for reform being almost universal, is sufficient to show, that evils existed, which the existing institutions were insufficient to remove.

VIII. The necessity of a reformation was so evident, that, to promote it, became a European enthusiasm. But how the reformation was to be effected, and to what extent it was to be carried;—whether it was to be carried into effect, by a general council superior to the pope, or by the pope acting through a general council; whether it was to be directed exclusively to the external administration of the Church, or whether it was to touch upon doctrine; these were points, upon which opinions were divided, and by which the controversial passions were inflamed.

The reader must be frequently reminded, that the Lollards were not the only reformers of the age. Among the prelates, against whom the Smithfield zeal of Bale, Foxe, and their modern followers, is most malignantly directed, we shall find many, who, though opposed to Lollardism, were advocates of reform.

It is not difficult to understand how their zeal for

common religious creed, in a common religious sentiment, and with a common religious object, but altogether apart from the ecclesiastical society, from the clergy, especially so called."—*Guizot, Civiliz. en France*, Leçon xiv.

a reformation intensified their hostility to the Lollards. It was continually retorted upon the Reformers of Pisa, Constance, and Basle, that their principles were leading to revolution. Their attention was called to the rebellious proceedings in England and Bohemia. To separate their cause from that of the Lollards and Hussites, became, therefore, in their estimation, a thing of great importance. Their opponents, again referring to the Lollards and Hussites, declared the cause of reform to be the cause of heresy. This class of reformers denied this; and, to evince their sincerity, they showed themselves more zealous than their opponents, in the prosecution of heresy. The illustrious man, the greatest statesman of our day, to whom justice has not yet been done, the late Earl Grey, the father of the Reform Bill, would have been among the first to stand opposed to any body of men organised to convert the limited monarchy of England into a republic. He would have been the more eager to do so, because he would have seen how their extreme proceedings would damage those constitutional principles, which it was the object of his life to develop. It would have been absurd, on that account, to have represented him as hostile to all reform, or insincere when propounding a measure, which its former opponents now regard with complacency, having seen how it has strengthened the Constitution, while enlarging its basis.

We may easily understand the position of the honest among the opponents of Wiclif and his followers, if we have the charity to believe, that when a dispute between two parties may arise, although there can be right on only one side, there may be virtue on both. When we investigate the principle of those reformers, who were opposed to Wiclif, we at once perceive its insufficiency to effect the object, which they had at heart.

CHAP. I. Introductory.

The more sagacious among them, must have become aware, that a mere improvement in the administration of the Church could never have removed the gigantic mass of corruption, by which the Church was depressed. They must have seen that, to make reform effectual, it was absolutely necessary to go to the very foundations of the tottering edifice. From this they shrank. Here their courage failed. A reaction, after a time, took place.

If they were timid, the moral courage of Wiclif amounted to rashness. John Wiclif may be justly accounted one of the greatest men that our country has produced. He is one of the very few, who have left the impress of their minds, not only on their own age, but on all time. He it was, who first, in the middle ages, gave to faith its subjective character. His first grand position was taken on the ground of faith: We are not to accept as truth what we do not believe. He then asserted, that we cannot believe what we cannot prove, or what has not been proved to others on whose judgment and veracity we rely, and who are ready to produce their proofs, on demand. His next step was, to maintain, that the only proof, by which we can establish a disputed proposition in revealed religion, must be deduced from the Bible. The Bible only is the infallible Word of God. What the Church cannot read therein or prove thereby, no man can be called upon to believe. Therefore the Bible must be translated, and he translated it.

Here was his principle. In the application of it he fell into many and great absurdities; but, such being his principle, we can understand the sympathy, which is felt with Wiclif, on the part of Protestants, even when his communism, and other political principles, are condemned. Let us endeavour, in fairness, to under-

stand his position among his contemporaries, and to discern why, when the cry for reformation was almost universal, the indignation of reformers, as sincere though less sagacious than he, was directed against him.

Our view of faith, in the modern Church, is almost as exclusively subjective, as the view taken by the contemporaries of Wiclif, was exclusively objective. As they could not understand him; so we, from our standing point, find it difficult to comprehend the view taken by them. Faith is regarded by us only in its bearings upon the heart and the inner man. Our faith we are supposed to acquire, by a process of reasoning; or by some secret inspiration, which is regarded by divines of the Puritan school, as the new birth. If, by a defect of his reasoning powers, or because he is not one of the elect, a man does not believe the Gospel, it is his misfortune, and for a misfortune he is not to receive temporal punishment. Whatever may be thought of his future destiny, the notion, that he should act upon any religious principles which he has not realized to his heart, would be at once repudiated. This was to Wiclif's contemporaries, always excepting his converts, unintelligible. In the middle ages, religion was regarded objectively. The State ordained certain laws, which involved certain principles. If the law was transgressed, or if those principles were impugned, upon which it was presumed, that all law was based, the transgressor was doomed to death, death being the penalty for almost every offence. In like manner, the Church, a department of the State, ordained what was to be believed. If a man openly rejected a doctrine, or a statement asserted by the Church, he was placed in the same category as a traitor or a felon. It was his duty, not to judge the law, but to obey it. Legislators might see fit to change it, but that was no business of the ordinary subject.

CHAP. I. Introductory.

If it pressed hard upon him, he might bargain for its repeal before granting a subsidy, but, until it was repealed, he had only to choose between obedience and the gallows. A Christian, in like manner, might demand a general council to reconsider an article of faith. But his acceptance of a dogma or assertion did not depend upon any conviction in his own mind of its truth. All that he had to do was to accept, as a fact, what the Church pronounced to be such. Faith in the Church was an article of the creed, and this was supposed to imply faith in whatever the Church promulgated or ordained. The Church and the State were combined. The Church excommunicated the traitor, and the State executed the heretic. If an individual persisted in resisting the laws of the land, he was executed, because, upon his punishment it was supposed that the peace of society depended. If an individual preached against the Catholic faith, the Church could only excommunicate him; and, consequently, when excommunication had lost much of its terrors, the State interposed. For the peace of society, and the safety of those souls, whom, by his preaching, the heretic imperilled, the State decreed that he should suffer the penalty of death.

It is so important to have this subject placed in the proper light, that I shall confirm what is here stated, by reference to a contemporary document. In the preamble to Archbishop Arundel's Constitutions, the opinions of the Church as opposed to those of the Lollards is thus expressed—"He does an injury to the most reverend synod, who examines its determinations: and since he who disputes the supreme earthly judgment is liable to the punishment of sacrilege, as the authority of the civil law teaches us; much more grievously are they to be punished, and to be cut off

as putrid members from the Church militant, who, leaning to their own wisdom, violate, oppose, and despise, by various doctrines, words, and deeds, the laws and canons made by the key-keeper of eternal life and death . . . . when they have been published according to form and canon, and observed by the holy fathers our predecessors, even to the glorious effusion of their blood, and dissipating their brains."*

It cannot be said that this was merely the clerical view of the subject. What faith was in the opinion of the people generally, may be gathered from the words of the poet Gower, and from the conduct of Henry V. No one could be more severe, than Gower in his censure of the views of the age, and of the clergy in particular. He was a reformer, but not a Wicliffite. He writes thus :—

"Qui sapienter agit sapiat moderanter in istis,
Postulet ut rectam possit habere fidem.
Committat fidei quod non poterit rationi,
Quod non dat ratio det tibi firma fides.—
Quod vocet ecclesia tu tantum crede, nec ultra
Quam tibi scire datur quomodocumque stude.
Sufficit ut credas, est ars ubi nulla sciendi,
Quanta potest Dominus scire nec ullus habet.
Est Deus omnipotens, et qui negat omnipotenti
Credere posse suum, denegat esse Deum.
Sic incarnatum tu debes credere Christum
Virginis ex utero, qui Deus est et homo.
Vis salvus fieri, pete, crede, stude, revereri,
Absque magis quæri lex jubet ista geri.

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* "Constitutiones domini Thomæ Arundel, Cantuariensis archiepiscopi, factæ in Convocatione prælatorum et cleri Cantuariensis provinciæ, in ecclesia cathedrali S. Pauli, London, incepta 14 die mensis Januarii, A.D. 1408, et translationis suæ an. xiii. contra hæreticos."—Ex reg. Arundel, ii. fol. 10, et MS. Eli. 235, et MS. Lamb. 17.

CHAP. I. Introductory.

Has phantasias aliter quæ dant hæresias
Damnat Messias, sobrius ergo scias,
Tempore Ricardi super his quæ fata tulerunt
Schismata Lollardi de novitate serunt.
Obstet principiis tribulos, purgareque vadat
Cultor in ecclesiis, ne rosa forte cadat." *

By party writers of the Puritan school, the memory of King Henry V. is persecuted for his conduct towards John Badbee and Sir John Oldcastle. Of Oldcastle we shall have occasion to speak at length in the life of Arundel; but as regards John Badbee I shall mention his case here, because the treatment he experienced from the hand of Henry V., when Prince of Wales, exemplifies our present position. John Badbee, a Lollard, was sentenced to the terrible death, which the State inflicted upon the heretic, when, as a relapsed heretic, he had been excommunicated by the Church. He was on his way to the place of execution. His offence was a statement relating to the Holy Communion, which, though insufficient for many Protestants, would be regarded as almost, if not entirely orthodox by the Church of England at the present time. The young Prince of Wales, meeting the procession, was moved with compassion. He thought that his influence might prevail, where those of inferior rank had failed. He approached the condemned man, and entreated him to recant. There was an earnest desire to save him. But it never occurred to the royal mind, that there could be any way but one, by which the object could be effected. If a man had robbed another, he might have said, "Give back the money, and you shall be reprieved. If the money is not given back, you must, of course, die." He acted on the same principle on this occasion. He seemed to say, "You have

* Political Songs, i. 349.

damaged men's souls by rebelling against the Church. Admit that you were wrong. This will undo the evil you have done; and then you shall not only be pardoned, but I will become your patron." The noble John Badbee refused to recant; for his recantation would have damaged his cause—a cause upon which, in his opinion, the salvation of man and the glory of God depended. We admire the hero. But we are not to regard the other hero, by whom he was addressed, as a monster, because he could not rise, in this instance, above the spirit of the age. The Prince of Wales followed the cavalcade. He saw the hero placed in the barrel. The burning fuel was piled around it. The flame arose. The sufferer cried out in agony or alarm. Again the Prince interposed. He ordered the faggots to be removed. He spoke kindly to Badbee. He promised him pardon if, even now, he would profess what the Church had defined, but it availed not. The Prince promised him not only pardon, but a pension, if only he would recant. All was in vain. Then the Prince, indignant and angry, ordered the executioners to proceed in their dreadful work. He believed such obstinacy to be a diabolical inspiration; and to tolerate an agent of Satan would be treason as well as heresy. He acted towards him as he would have acted towards a traitor. He might have interceded for a condemned traitor, if he would stipulate never again to conspire against the king's life and government. But if the condemned person had said of the Prince's father, "I regard him as a usurper who murdered his predecessor, and against that usurper I will for ever wage war"—then the Prince's loyalty, mingled with some personal feeling, would have commanded that the law should take its course. To diabolical influence the historian to whom we are indebted for this anecdote

CHAP. I. Introductory.

attributes that noble firmness in Badbee, which induced him to die rather than renounce a principle, upon the assertion of which, though appearing only in its relation to one doctrine, he thought the welfare of man to depend. Walsingham himself comes in for a fair share of abuse, from the persecuting historians of the Puritan school. But those who read history with a philosophical mind and impartial spirit, will value his statement, as the solemn, though mistaken judgment of one who certainly could have had no more pleasure in contemplating the death of a heretic, than the reporter of a newspaper, fifty years ago, would have had satisfaction in describing the execution of a forger. The forger, in his estimation, would have suffered death justly, since mercy to him would cause danger to the commercial world.*

If Wiclif had confined his teaching to the schools, he would probably have remained unmolested. Considerable latitude in speculation was allowed to the schoolmen : and the heads of the Church of England at that time cared little for theological discussions. The University was, itself, vehemently anti-papal, long before Wiclif was matriculated ; and his antipathy to the Church of Rome was an inheritance on the part of an Oxonian. In opposing the pope, a creature of

* Walsingham, 421. "Neglexit perditus nebulo tanti principis monita, et elegit potius se comburendum quam sacramento vivifico deferre reverentiam. . . non dubium quin maligno spiritu induratus." He attributed this, as our laws till lately attributed all crime, to the instigation of Satan. What he regarded as a crime, we regard as a virtue. We are right ; but then we are not to deal fiercely, as is too frequently the case, with men who could not rise above the prejudices of their age and education. We now regard Washington as a hero. If he had been taken prisoner, after his first battle, he would have suffered as a rebel. Yet George III. and his judges were not to be classed with Bonner or Jeffries.

France, Wiclif only did what every patriot was doing, so long as the popes remained at Avignon. In exposing the hypocrisy of the monks, he acted with the applause of the bishops, whose jurisdiction they rejected or despised. He had not only the two Universities, but all the clergy, regular and secular, with him when he attacked the mendicants. Fitz-Ralph, who preceded him, and was equally violent in his attacks upon the mendicant orders, had been rewarded with the archiepiscopal mitre of Armagh. We may add, that it was not from hostility to a translated Bible, considered abstractedly, that the conduct of Wiclif, in translating it, was condemned. Long before his time, there had been translators of Holy Writ. There is no reason to suppose that any objection would have been offered to the circulation of the Bible, if the object of the translator had only been the edification and sanctification of the reader. It was not till the design of the Lollards was discovered, that Wiclif's version was proscribed. When men were exhorted to read the Scriptures, not simply for their own instruction, but to qualify them to sit in judgment on the Church, and to set at nought much that their forefathers had revered, we are not surprised to find, that alarm was created, especially among those who, having read the Scriptures, on the one hand dreaded a revolution, and on the other were quite aware that the Church both required and performed much, which the Scriptures did not only not teach, but expressly condemned. It was then thought prudent to prevent the perusal of Scripture, except with the permission or under the superintendence of the priest. When Wiclif himself, professing to take Scripture for his guide, gradually propounded what he declared to be his deductions from Scripture, the alarm was increased.

We can easily understand, that Wiclif received the

CHAP. I. Introductory.

applause of a certain portion of the laity, though he excited the indignation of the larger portion of the clergy,* when he said in his treatise against the mendicant friars, "If ministers, in the execution of their office, do not act, both by word and example, as God commandeth, their people are not bound to pay them tithes or offerings. When the principal cause, for which tithes and offerings should be paid, doth not exist, the payment of tithes should cease. Also, clergymen are more to be condemned for withdrawing their teaching in word and example, than the parishioners are for withdrawing tithes and offerings, even though they discharge their office as they ought."

But when Wiclif proceeded further, and maintained, that all power and property are held by the tenure of grace, and are liable, therefore, to be forfeited by the mortal sin of the owner, then the laity made common cause with the clergy. All united in calling upon the bishops, to interpose their authority to silence an oracle, which cried havoc in the ears of the elect, and would have let slip the dogs of war and anarchy on the world.†

He permitted his predestinarian notions to lead him

* I quote the passages as abbreviated by Milner, Cent. XIV. cap. 3, and I shall follow Milner, except when other references are given, because, while all the prejudices of that historian are on the side of Wiclif, the life of Wiclif is written by him with singular discrimination and impartiality. Milner considers Calvinism and Christianity to be convertible terms, and this lays his history open to many defects. But, after making allowance for his bias, we find him bringing much shrewd common sense to bear upon historical subjects, and a very fair amount of learning. He observes on the subject now before us, "that it is not to be wondered at, that he who maintained that tithes were mere alms, should be suspected of supporting the seditious practices of Tyler, Straw, and other incendiaries in the reign of Richard II."

† Le Bas, 351.

into a definition of the Church equally anarchical. He defines the Church, to be an assembly of predestinated persons, and he has been understood to lean even to the doctrines of absolute necessity and fatalism.* In his Augustinianism, as what we now call Calvinism was then denominated, he cannot have gone further, than Bradwardine, Archbishop of Canterbury; and he might have speculated, and published his speculations, to his heart's content, at Oxford. But when he declaimed against stated times for Divine worship, when he denounced set forms of prayer and church music, †

* The observation is made by Milner, himself a Calvinist. He produces his evidence on this matter that the reader may form his own judgment. Neander (ix. 226) remarks :—"We see in Wiclif the tendency of reform combined with an Augustinianism which went far beyond Augustin himself, in its polemical hostility to everything that seemed verging on Pelagianism; to all worth or ability on the part of the creature; and which, in fact, amounted to the denial of free will. A one-sided religious element in Wiclif here united itself with his stern speculative consistency: we meet with elements which, in their logical evolution, would have led to Pantheism. Everything, according to his notions, enters as a part necessarily into the fulfilment of the decrees of predestination."

† As a specimen of his style, we may quote his mode of treating church music :—"If they seyn that angels hearen God by song in heaven, seye that we kunnen not that song; but they ben in full victory of their enemies, and we ben in perilous battle; and in the vally of weeping and mourning; and our song letteth us fro better occupation, and stirreth us to many great sins and to forget ourselves. But our fleshly people hath more liking in their bodily ears in such knacking and tattering, than in hearing of God's law, or speaking of bliss in heaven. . . . When there ben fourty or fifty in a quire, three or four proud and lecherous lorels shullen knack the most devout service, that no man shall hear the sentence, and all other shullen be dumb, and looken on them as fools. And them strumpets and thieves praisen Sire Jack, or Hobb and William the proud clerk, how small they knacken their notes, and seyn that they serven well God and Holy Church; when they despisen God in his face, and letten other Christen men of their

CHAP. I. Introductory.

when he declared, indeed, all forms of devotion to be worse than useless to the man whose life was rendered conformable to the Divine Will; when these things were said and promulgated, not in the dog Latin of the schools, but by his poor priests, in the vulgar tongue; we are not surprised if some there were, who required a muzzle to be placed upon one, who, if not like the prelates, a dumb dog, must have appeared to not a few of his contemporaries, very like a mad one.

The whole moral world must have risen up against him, when his intended reformations reached the law of marriage. We have mentioned before, the unjustifiable restrictions with respect to marriage, which the Church at this time imposed. In arguing for their removal, Wiclif not only set aside the Levitical prohibitions, but asserted the monstrous propositions, that marriages might take place within the very closest degrees of propinquity. In his opinion, marriage between brother and sister was lawful, being only condemned by human maxims and institutions.*

It is necessary, when we refer to the history of Wiclif's opponents, that we should observe both phases in his character. We see the power and integrity of his mind, and the clearness with which he could distinguish even a mote in his brother's eye; but with a

devotion and compunction and stirren them to worldly vanity. And thus the true service of God is letted, and this vain knacking, for our jollity and pride is praised above the moon."—*Of Prelates, Lewis*, viii. 162, 163.

* "Tempore primi hominis, *fratres et sorores* fuerunt ex ordinatione divinâ, taliter conjugati: et tempore Patriarcharum, ut Abraham, Isaac, et talium satis propinque cognati. Nec superest ratio quare non sic liceret hodie, nisi humana ordinatio quæ dicit non solum ex cognatione, sed ex affinitate amorem inter homines dilatari: et causa hæc hominum est nimis debilis."—*Trialogus*, lib. iv. c. 20, 21. *Lewis*, viii. 173.

mind which could detect, and with a courage which could denounce error, he was deficient in the ability to suggest a remedy, or even to perceive that the opposite to wrong is not, of necessity, right. He could displace but not replace. He was utterly void of judgment. We hear him at one time uttering words of wisdom—the most learned of the schoolmen; and at another time, he propounds sentiments, which fanaticism itself would repudiate. He trusts so entirely to his logic, that he defends conclusions, before acquiescing in which, a less gifted but a more sober mind would have thought it necessary to re-examine the premisses. Nevertheless, with enough, and more than enough of moral courage, he was deficient in the obstinacy, or the firmness, or the powers of endurance, which are necessary to the formation of a martyr.

Whether it were justifiable to place any restrictions upon the proceedings of such a character, can, in these days, be decided by no one under the degree of a privy councillor. Until the Privy Council, however, has pronounced the late Archbishop Sumner, and the present Bishop of Capetown, to have been merciless persecutors for instituting proceedings against Denison and Colenso, we cannot predicate persecution of Chicheley, Courtney, and Arundel. They instituted a court of inquiry to ascertain whether the existing laws of the Church had been violated by Wiclif; and they intimated to the accused, that the laws of the Church would be put in force against him, if he did not act with greater discretion for the future.*

It was through politics, that Wiclif obtained his preferments; and it was by his politics, that he was

* Of the foolish and iniquitous act of burning his bones, we shall have to speak hereafter.

CHAP. I. Introductory.

first brought into collision with the heads of the Church. Already a divine of considerable reputation at Oxford, he was enlisted into the political party, of which the leader was John of Gaunt, Duke of Lancaster, a weak, ambitious, and unprincipled man. The immediate object of this party was not only to resist the papal aggressions, in which the hierarchy would have co-operated, but more particularly to compel the dignified clergy to resign their political appointments. We have already remarked on the error, of which the clergy were guilty, in not retiring from those offices in the State which the laity were qualified and willing to discharge. But the movement, at this time, was premature and unpopular. Among the lay lords, the majority were well aware, that the functions of the State could not be properly discharged, if the clergy, educated as lawyers and statesmen, were excluded from office. The king knew not how to provide sufficient salaries for his ministers, unless he could make ecclesiastical preferment subservient to the purpose. The jealousy of the people was excited chiefly against the middle classes, which, having obtained importance in the House of Commons, evinced less inclination to improve the condition of the lower orders, than the ancient nobles and the clergy. Hence, although the Lollards afterwards became popular leaders, the people were not on Wiclif's side when he first came forward as a politician.*

* It will be observed that when Wiclif was cited before Courtney, then Bishop of London, and John of Gaunt attended to protect him, the mob was with the Bishop. When afterwards certain prelates condescended to act as papal delegates, and Wiclif was cited before them at Lambeth, the people were with Wiclif. It was supposed, that the prelates were then betraying the national interests by subserviency to Rome. Before, they had shown their hostility to the party of John of Gaunt, the object of that party being to

A dangerous politician the political ecclesiastics regarded him, and as a party movement, they brought against him a charge of heresy. This was the easiest method to silence him, and no secret was made, that this was their object. When the question became one simply of heresy, independent of politics, the bishops were so unwilling to act, that they were accused by the enthusiastic partizans of religious doctrine, of indifference and supineness.*

It is an entire misconception of the spirit of the age, and of the character of those, who had the management of affairs, to regard the prelates of the fourteenth century in England, in the same point of view as that in which we regard the persecutors, who lived in the reign of Mary; or to suppose that, though on the opposite side, they were animated by the doctrinal zeal which influenced the Puritans at a subsequent period of history. The fault of the contemporaries of Wiclif was, that they cared, not too much, but too little, for doctrine, or the theories of religion. So long as he did not disturb the public peace, or did not oppose them in politics, they would have been willing to permit him to vindicate his principles and to explain his inconsistencies, without molestation in the schools. We cannot say, that they received no provocation. Although himself a non-resident prebendary, and—until forced to retire from Oxford—receiving the emoluments without per-

elevate the middle classes. Wiclif was attacked as a politician, but defended as a heretic.

* This charge is continually brought against them by Walsingham, who expresses the prevalent feeling of what I must be permitted to call the religious world, or the religious and conservative party of the time. The anger of Capgrave at the apathy of the bishops is thus expressed :—"They kept hem (the Lollards) in here houses, and opened no mouth to berk again these erroneous doggis."

CHAP. I. Introductory.

forming the duties of a parish priest, he denounced, in no measured terms, the beneficed clergy, under the name of clerks possessioners. His opponents he was accustomed to describe as liars, fiends, hypocrites, traitors, heretics, antichrists.*

When we take all these circumstances into consideration, we must come to the conclusion of Pauli, who, notwithstanding his enthusiastic adoration of Wiclif, does justice to his opponents by saying, that the great moderation with which Wiclif was treated, is remarkable.

To speak of Wiclif's trials as persecutions is to confound two things essentially different. A man who troubles the world must expect to be troubled himself. If we swim in a calm, we create the waves around us, and must not be surprised if they dash into our mouths. Wiclif assailed the existing institutions of his country. He may have been right. We think he was. He has his reward, an immortal name. An assailant, however, must expect resistance, and all resistance is not to be accounted persecution. When we desire to do equal justice to the party assailed, as well as to the assailant, the simple question is, whether the measures adopted against him were in strict conformity with the existing law, and whether the punishment assigned was such as the law prescribed. In regard to Wiclif, when it had been pronounced by a committee, fairly representing

* It may be that he only adopted the common language of controversy. If this be a palliation of his conduct, we must be careful to admit the same explanation and excuse, when the language of his opponents was the reverse of courteous. Of the inconsistencies of Wiclif in retaining preferment while holding the principles he averred, there *must* be some explanation, which, when his MSS. have been examined, may come to light. A good man may be inconsistent, but he always has some grounds for his apparent inconsistencies, satisfactory to himself if not to others.

the different parties in the Church, that there was a *primâ facie* case against him, he was not tried in London, but at Oxford, where his partizans were strongest. He was not tried in the presence of the archbishop; and the severest sentence, to which he was subjected, was an exile from the University; and exile to a comfortable benefice. His living and his prebend he retained to the last.

This opens the question of persecution. Every one agrees in expressing an abhorrence of persecution; but then we must remember that there is a difference between persecution and prosecution; nor may we forget that a persecuting spirit which, in one age, demanded penal enactments, may, in another age, vent itself in personal attacks through the press. That there was much of a persecuting spirit in the middle ages, is not to be denied; but we are obliged to admit that a persecuting spirit is not in the nineteenth century extinct. We see the spirit of persecution in the proceedings against Protestants, under Queen Mary. Can we deny the existence of the same spirit in such writers as Bale and Foxe? I purposely omit later writers. It does not follow, because a man maintained what we now hold to be the truth, that he was not a violator of the law in his own age. It does not even follow, because we admire his courage in transgressing the law, when the law, as he thought, and as we may now think, was opposed to the truth, that they who prosecuted him for a violation of the law were mere persecutors. The hero and the martyr is he who, when he finds that by suffering, as well as by preaching, he serves to propagate the truth, suffers with patience the penalty he has knowingly incurred. On the other hand, he who, being a judge, has to administer the law, is not a persecutor because the law he administers is afterwards discovered

CHAP. I. Introductory.

to have been a bad law. The prosecutor is not the maker of the law, and, in attempting to enforce the law, he may be actuated, not by a vindictive feeling, but by public spirit. As regards the judge, the question is whether, from vindictive feelings, or from interested motives, he places a wrong construction upon the law, or while relaxing its penalties as regards one class of offenders, he enforces them, without regard to palliating circumstances, in the case of another class. Bonner was a persecutor who not only sought for false evidence against the accused, but delighted to witness their tortures. Judge Jeffries was a persecutor who, influenced by a low ambition, sought to obtain the favour of a tyrannical master, by confounding the offices of prosecutor and judge; and who, when the law sanctioned the interference of the royal prerogative of mercy, permitted no thought of mercy to mitigate the severity of his judgments. But we do not so regard the judge, who consigned Fergus Mac Ivor, supposing him to have been a real character, to the executioner; for he only did what the law required him to do. Fergus Mac Ivor represented that feudal sentiment, not yet extinct, of personal devotion to a sovereign—the sentiment which prefers loyalty to a person to patriotism. There may be some now living, who sympathize with the sentiment of Fergus Mac Ivor. But the judge who tried him was the minister of a country which regarded the act of taking up arms against the king *de facto*, as an act of treason; and, in doing what he did—in pronouncing sentence upon a transgressor of the law of the land—he acted not as a persecutor, but as a just judge. Let it not be said, that these are truisms, for truisms though they be, they are entirely forgotten by angry historians who sit in judgment upon such men as Courtney and Arundel. The argument

against them is this :—Wiclif, and the Lollards generally, were the representatives of Protestantism. They were Protestants at heart. To oppose Protestantism is persecution. The hierarchy of the fourteenth and fifteenth centuries were generally opposed to Wiclif and the Lollards, therefore they were persecutors. This is certainly not the temper, in which history should be written. It appears strange, almost unaccountable, that even theologians, much less historians, should make the controversies of the fourteenth and fifteenth centuries a party question. An Anglican must certainly be opposed to the theological principles upheld by Courtney and Arundel, and will condemn the political conduct, especially, of the latter ; but no one can agree entirely with Wiclif. As we cannot completely sympathize with either party, this circumstance, one would think, might make men impartial in the judgments they form of the prominent actors, in ages different from our own. Instead of dividing men into two classes, as is the custom—devils incarnate on the one side, and heavenly saints on the other—they might certainly divide pretty equally, the virtues and the faults of all classes, and say,—

"Tros Tyriusve mihi nullo discrimine agetur."

In passing from Wiclif to the case of the Lollards, we will again advert to modern trains of thought. Although, God be praised, there are many devout men around us, adding, by the lustre of their works, to the cause of the Church, yet we live in an age which cannot be denominated religious. The one subject on which the age is earnest is politics. There are some who, in the world of politics, would, even in England, prefer a republic to a monarchy. All who have mixed much with the class which is rising into importance—the operative class—must be well aware of this. No

CHAP. I. Introductory.

one is molested, in the just liberality of the times, for entertaining this opinion; nor would he be persecuted for giving utterance to his opinions in private conversation; but how would it be if a body was organised for the purpose of establishing a democracy, on the ruins of the British monarchy? We have our answer in the manner in which the upper and middle classes, a few years ago, combined to oppose, by force, the Socialists marching upon London. Among the Socialists were many excellent men; and, according to the view taken by some of our political economists, it is not impossible that, in the course of time, a species of Communism may gradually prevail throughout Europe. It will be a change in society great, but not greater than that which has been gradually, almost imperceptibly, accomplished; if we compare the condition of the middle classes, as at present existing, with those classes of society as they existed in the middle ages. The names of men now in disrepute among the upper and middle classes may then be held in honour, and their opponents may be represented as persecutors, but certainly without a shadow of justice.

The Lollards were the persons who contributed to the elevation of the middle classes in the fourteenth and fifteenth centuries; and when we speak of them as martyrs, we ought to regard them as political martyrs rather than religious. They made religion their plea, in order to swell the numbers of the discontented; but their actions tended to a revolution in the State as well as in the Church. It may be that a revolution was necessary; such as, in the State first, and afterwards in the Church, did actually take place under Henry VII. and his son; but that the Lollards, the revolutionists of the age, should be met by a strong conservative opposition, is only what we should expect; and surely

none but a person himself animated by a persecuting spirit, would imagine every conservative to be a persecutor. The Lollards directed their first attacks upon the Church, because the Church was the most vulnerable part of the constitution. But the civilians were quite as much alarmed at their proceedings, as the ecclesiastics. Both parties regarded their principles as subversive of all order, in things temporal as well as in things spiritual. The only punishment the Church could inflict upon them, when they were accused of heresy, was excommunication and imprisonment. The first was treated with contempt by the parties accused, and the second was regarded by the alarmists as insufficient.

We have already remarked, that there was no one more severe than John Gower, the poet, upon the vices of the age, the corruptions of the Church, and the degeneracy of the clergy; and yet of the Lollards there was no greater opponent than he. Against them, as against the mendicants, was brought the charge, so easily made, so maliciously accepted, and yet so difficult to prove, of hypocrisy. A specific accusation was brought against them, when they were censured as the real disturbers of the peace of the kingdom, by preaching sedition among the people, while propagating heresy among the clergy.

"Hi sunt auctores odii
Cleri, vulgi dissidii,
Et regni perturbatio.
Hinc clades, homicidii,
Venit et fax incendii,
Servilis ac rebellio." *

It is as breeders of division in Church and State, instead of acting as reformers, that Gower condemns

* Political Songs, ed. Wright, i. 235.

CHAP. I. Introductory.

them. He distinguished between a desire of reform and an acceptance of the kind of reform demanded by the Lollards. He, like the historian Walsingham, regarded them as the agents of Satan, the author of deceit and evil.

> "Callidus serpens, nec adhuc desistit in orbe
> Qui magis in Christi lollia messe serit." *

The political writers of the day called for vengeance upon men who, under pretence of reform, sought only riot and robbery.

* Gower derives Lollard from Lollium, and regards them as tares growing up among and destroying the wheat. The following is the description of Lollards in Ducange :—"Lollardi, Lullardi, ita nuncupati hæretici quidam, qui sub initium sæculi xiiii, in Germania et Belgio exorti sunt. Joannes Hocsemius, ann. 1309. *Eodem anno quidam hypocritæ gyrovagi, qui Lollardi, sive Deum laudantes vocabantur, per Hannoniam et Brabantiam quasdam mulieres nobiles deceperunt*, &c. Trithemius in Chron., ann. 1315, ait, ita appellatos à Gualtero *Lolhard* Germano quodam. [*Liliardi* dicuntur in Genealogia Comitum Flandriæ ad ann. 1302, tom. 3. Anecd. Marten, col. 408. Vide Hansizium, tom. i. Germ. sacræ, p. 455.]

"Wicleffi etiam sectatoribus, id nominis inditum in Anglia, Thomas Walsinghamus, an. 1377. *Hi vocabantur à vulgo Lollardi incedentes nudis pedibus*, &c. Pp. 327, 328. *Wicleffensibus quos Lollardos quidam vocant.* Et p. 339. *Lolardi sequaces Joannis Wiclif.* Ita Will. Thorn, pp. 2646, 2662, 2663. Sic etiam hodie hæreticos quosvis, vel qui novæ religioni adversantur, vocant Angli.

"Quod vero hæretici isti Wiclefiani *vestiti pannis vilibus* incederent, ut ait Walsinghamus, viles ac despecti passim *Lollardi* nuncupati. Jo. Buschius in 'Chronico Windesem,' lib. 2, cap. 41. *Qui hujusmodi fratres devotos a mundo tunc despectos tanquam Lullardos deputabant.* Thomas à Kempis, in 'Vita Florent.' c. 9. *Elegit potius abjectus Lullardus vocari quam Dominus.* Vide 'Odoricum Rainaldum,' ann. 1318, n. 44. De hac voce hæc habet Kilianus : *Lollaerd, mussitator, mussitabundus. Lollaerd, Lollebroeder, Broeder-Lollaerd, Lollardus, Alexianus Monachus. Lollaerd, reus læsæ fidei, vel læsæ religionis, vulgo Lolardus, Angl. Lolard. Lolardus quoque dicitur hæreticus Valdensis.*"—Ducange, sub voc.

"And under colour of suiche lollynge,
To shape sodeyn surreccioun
Agaynst our liege lord kynge,
With fals ymaginacioun.
And for that corsed conclusion,
By dome of kniythode and clergie,
Now turneth to confusioun
The sory sekte of lollardie.

For holy writ berithe witnes,
He that fals is to his kynge,
That shamful dethe and hard distres,
Shal be his dome at his endynge.
Than double dethe for such lollynge
Is hevy, when we shul hennes hye.
Now, Lord, that madest of nouyt alle thinge,
Defende us alle fro lollardie." *

The Lollards, as a political party, obtained the sympathy of those pious persons, who were really shocked by the religious corruptions, against which they declaimed. They sometimes obtained an ascendancy in the lower House of Parliament. They were occasionally supported by men of eminence, who employed them for party purposes. But by all, who had anything to lose, if not influenced by strong religious feelings, or inflamed by faction, as in the case of Sir John Oldcastle, and a few others, the progress of their principles was regarded with alarm. As they masked their ulterior designs, by making the subject of religious reform their first demand, the civil authorities were desirous of strengthening the hands of the ecclesiastics, or rather of co-operating with them, in suppressing what was regarded as a common evil.†

* Political Poems, ii. 247.

† In the pardon granted to the Lollards, Fœdera iv. 76, it is observable, that many clerics are named among the rebellious Lollards. The Lollards, judging from the description given of them

CHAP. I. Introductory.

Henry V., when Prince of Wales, was among these alarmists. He headed a petition, presented to his father by himself and the lords spiritual and temporal assembled in the Parliament of 1412, praying, that measures might be immediately taken for the suppression of Lollardy. The petitioners adverted to the vehemence, with which the property of the Church was attacked, and remarked, that "in case that this evil purpose be not resisted by your royal majesty, it is very likely that, in process of time, they will also excite the people of your kingdom for to take away from the said lords temporal, their possessions and heritages, so to make them common to the open commotion of your people.

"There be also others, who publish and cause to be published evilly, and falsely, among the people of your kingdom, that Richard, late King of England, (who is gone to God, and on whose soul God, through his grace, have mercy,) is still alive. And some have writ and published divers false pretended prophecies to the people, disturbing them who would, to their power, live peaceably, serve God, and faithfully submit and obey you, their liege lord." *

When Henry was king, he took a more active part against the Lollards, not only because they maintained doctrines contrary to the Catholic faith, but because they had plotted the king's death, and the destruction of the lords and great men of the realm,

were chiefly composed of the tradesmen and skilled artizans—the middle class, which was in a state of discontent with the existing order of things. The occupations specified are, goldsmiths, plumbers, fletchers, weavers, hosiers, and honeymongers.

* Fuller, ii. 404, who says in a note, "contracted by myself (exactly keeping the words) out of the original"—in the Tower records.

spiritual as well as temporal, and other causes and evils.*

The statute De Hæretico Comburendo, is to be attributed to the serious alarm excited, by the revolutionary proceedings of the Lollards. We justly regard this statute with abhorrence, and the more so, on account of the atrocities which, under its provisions, were committed in the reign of Queen Mary. But, as we have already said, we must not confound the ecclesiastics of Mary's time with those of the reign of Henry IV., or imagine that, at both periods, they were influenced by the same spirit. The angry passions of men had been aroused on the subject of religion in the time of Mary. Papists, being in the ascendancy, burned Protestants, even as — if we may judge from the tone of the martyrologists—Protestants, if they had possessed the power,. would have burned Papists. But the *odium theologicum*, under the Lancastrian dynasty, was only a phase of political feeling, and the reprobated Act owed its origin to politics rather than religion. It is indeed remarkable, that the statute was passed at a period, when the secularized clergy happened to have less of influence than usual, both with the Parliament and the King.

Heresy was, down to this period, regarded in England as a spiritual offence, exposing the criminal to spiritual censures, and nothing more. It was not punishable, at canon law, by forfeiture of lands and goods, much less by the infliction of death.† Why, then, was a special statute at this time enacted ? Even because the Lollards had become a political, as well as a religious party ;

* Fœdera, ix. 89, 119, 129.

† Stephen's "Blackstone," iii. 50. 1 Hale, P. C. 392. 1 Hawk. 6, I. c. 2. § 10. State Trials, ii. 275.

CHAP. I. Introductory.

because they were not only religious reformers, but the advocates of revolution.

IX. The difficulty is great to understand the political arrangements and requirements of the middle ages—the precise object of the party combinations, and the moral character of the party men; but the difficulty has been removed, to a considerable extent, by the publication, during the last few years, of various public documents, of great importance, and by the series of works now issuing from the press, under the auspices of the Master of the Rolls. No man can study these documents, without a feeling of admiration for the orderly manner in which public business was conducted in the most troubled times, and the minute exactness, with which the public accounts were kept. I have endeavoured to lay before the reader a clear statement of the public transactions, deduced from these sources, so far as they have fallen within my province. I am certain that my endeavour has been, to deal equal justice to the party which the corruptions in Church and State, and especially in the former, provoked to rebellion; and to the opposite party, which, in the dread of a revolution, impeded the progress of those reforms, the necessity of which they freely admitted.

The only account of a bishop's household with which I am acquainted is the Roll of Bishop Swinfield, published by the Camden Society; but in the Chronicon Monasterii de Abingdon, and the Chronicon Abbatiæ de Evesham, and other similar works, we have a minute description of the interior of a mediæval monastery. Between the two establishments, there was, doubtless, a similarity; but still the difference must have been, in some respects, very marked, between a household consisting entirely of monks, and that of

THE INSTITUTE OF MEDIAEVAL STUDIES
ST. MICHAEL'S
COLLEGE

an archbishop, in which the young sons of the aristocracy sought an education, by which to qualify themselves to act as diplomatists, statesmen, or divines. Although of the later archbishops I have been able to obtain some information, from local traditions, which will be duly noticed, still the personal anecdotes are so few, that I have been compelled to write history rather than biography. I have had to enter more minutely into State affairs than I could have wished. It may be doubtful, whether a familiar acquaintance with the earlier writers, chroniclers, and poets—whether the researches, deep and accurate, of modern archæologists, and a perforation of that rich mine of mediæval information, provided for us in the folios of Ducange, will ever enable our writers of fiction to lay before their readers a portraiture of the habits and customs—the commingled virtues and vices—of our ancestors, before the time of Henry VII. It is certain that they have not hitherto succeeded. Society was in a transitional state. The transition from feudalism to modern civilization was so gradual, that we often find things changed before we are aware that the work of mutation had commenced. It was an age of apparent contradictions. There was almost barbaric pomp in all that was external, together with the coarseness of unrestrained familiarity, when the pressure of ceremony was withdrawn. Luxury was without refinement; magnificence without elegance; grandeur without comfort; sentiment often without affection; flattery was mistaken for courtesy, and hypocrisy was too frequently the result. The common language of civility, as addressed to a lady, was erotic; and yet ladies, in giving vent to their anger, would not confine themselves to words, though the words they used were sometimes such as a modern gentleman, in his most angry moments,

CHAP. I. Introductory.

would hardly employ. Lust was confounded with love. The lover would sigh like a furnace, and like a furnace would be the fire of his wrath. When the passions were roused, scarcely any restraint was placed on their expression and indulgence; and yet, for the crimes committed in the storm of passion, the soul, in despair, would submit to a lifelong penance. The rebel of one moment would be the fawning courtier of the next. The knight, who was now fantastic in his courtesy to his equals, would immediately afterwards consign hundreds of his fellow-creatures, without compunction, to the sword, for merely resisting his will. Charity was extensive, but ostentatious; devotion fervent, but superstitious. There was practical infidelity, conjoined with the most abject credulity. In short, there were then, as there always will be on earth, not saints and sinners, but holy men who sometimes sinned, and sinners who had their lucid intervals of virtue. "Quis est tam Lynceus, qui tantis tenebris nihil offendat? nusquam incurrat?" *

* Cicero ad Famil. lib. ix. epist. 2.

CHAPTER II.

RICHARD GRANT.*

His Name.—Ricardus Magnus.—Le Grand.—Grant.—Personal Appearance.—An Author.—A Friend of Gregory IX.—Controversy about a Successor of Stephen Langton.—Conflicting Interests of Chapter, King, and Suffragans.—Walter of Hemesham elected by Chapter.—Opposed by King and Suffragans.—Reference to the Pope.—Pope bribed.—Examination of Archbishop of Canterbury.—Nomination of Richard Grant.—Disturbances in England when Papal Legate demanded by the King.—Antipapal Movement against Foreigners.—Rising Nationality.—Secret Society.—Sir Robert Twinge.—The Pope promises not to interfere with Lay Patronage.—Richard's Consecration.—Unpatriotic Principles of the Primate.—Advises the King to ask for a Resident Legate.—Controversy with Hubert de Burgh.—Goes to Rome.—Hated in England, Popular in Rome.—Sudden Death.—Reported Miracle.

CHAP. II. Richard Grant. 1229–34.

THE contemporaries of Richard, the successor of Stephen Langton, appear to have experienced some difficulty in assigning to him a designation, which would distinguish him from Richard, the successor of St. Thomas of Canterbury, or, as we now call him, Thomas à

* Authorities—Roger Wendover; Matt. Paris; Ann. Waver.; Ann. Monast. Burton; Chronicon Thomæ Wikes; Birchington, Vitæ Archiepisc. Cantuar.; Royal and Historical Letters illustrative of the Reign of Henry III., edited by the Rev. Walter Waddington Shirley, who now worthily occupies the chair of Ecclesiastical History, in the University of Oxford. I shall continue in this, as in the preceding books, to give at the commencement of each chapter the authorities, on which I have relied for information, referring specifically, in the body of the chapter, to the authority, on which any disputable statement may rest, or

CHAP. II. Richard Grant. 1229–34.

Becket. He is sometimes spoken of as Richard II.* But there would have been a manifest inconvenience in denominating the primates, like the sovereigns, by a numerical cognomination, and the successor of Stephen was also spoken of as Richard of Wethershed, or simply Richard Wethershed, from some place of which he was the native, or had been the denizen.† Although proper names, or surnames, had been employed from the commencement of the eleventh century, if not earlier, yet they were of uncertain application, and their origin may be traced, not only to localities, but also to occupations, tastes, habits, virtues, and characteristics of mind or body. Hence, our Richard was called Ricardus Magnus, translated

bearing upon any particular point. I do not refer to Parker and Godwin, for with these works every student of Ecclesiastical History is familiar. Parker, De Antiquitate Britannicæ Ecclesiæ et privilegiis Ecclesiæ Cantuariensis, is chiefly valuable for the copious and judicious selections made from the Lambeth Registers. Godwin, De Præsulibus Angliæ, ed. Richardson, is a remarkable work, for the time, when it was written, and for its general accuracy. In the brief notices of the Suffragans of Canterbury, which appear in the notes, I add to the authorities referred to by Godwin, the results of the investigations of later writers.

* He is so called by Godwin, i. 89. "Hunc Ranulfus Polychronici author, Richardum appellat de Wethershed, . . . quem plerique Richardum Magnum nuncupatum contendunt." Mr. Stubbs, who is always accurate and precise, designates the primate as Richard Grant of Wethershed. But where is Wethershed? There is a Wetheringsett in the union and hundred of Hurstemonceaux, in the county of Sussex. It has been conjectured that this may have been formerly written Wethershed. There is a Wetheringsett, also, near Eye, in Suffolk.

† Notandum sane quod omnes Archiepiscopi Cantuarienses qui istum præcesserunt diversa habuere vocabula nec quisquam illorum hoc vocabulo nuncupatus est, præter unum duntaxat, qui hujus vocabuli exstitit primus, iste vero hujus nominis dignoscitur esse secundus.—*Chron. Waver.* 192.

into Richard le Grand, and settling finally into Richard Grant.*

Why a primate, during whose episcopate—which lasted for little more than two years—no remarkable event occurred, should be called Grant, would have caused surprise, if it were not incidentally mentioned by Matthew Paris, that Richard was a man of commanding presence. He was great, in the same sense in which greatness can be predicated of the Son of Kish; being from his head and shoulders upwards, higher than any of the people.†

Of his birth, parentage, and education, nothing has been recorded, and even in regard to his preferments, we encounter difficulty and doubt. On the authority of Higden, he is usually stated to have been Dean of London, but this is very improbable.‡ He is generally

* Ricardus cognomento Magnus, qui prius fuit Cancellarius Lincolniensis, successit. *Birchington*, 10. Obiit Stephanus de Langeton Cantuariensis Archiepiscopus: electus est ejus loco Walterus de Evesham Monachus Cantuariensis. Cassata electione ejus, Papa contulit Archiepiscopatum magistro Ricardo le Grant Cancellario Lincolniensii. *Wikes*, 40. Consecratus est Magister Ricardus de Graunt in Archiepiscopum Cantuariæ. *Chronica de Mailros*, 200. I refer to these passages, and others may be quoted, to show that the name Grant was early introduced. Mr. Lower, in his interesting volume, Patronymica Britannica, states that the name first occurs in charters in 1258. Richard was probably the first who bore the name in England, which was derived clearly not from a Gaelic, but from a French source: Magnus, Le Grand, Graunt, Grant.

† Mat. Paris, 312, gives him a high character, "Namque staturæ, elegantissimæ, facundiæ admirabilis, scientia et moribus incomparabilis."

‡ "Richard Weathershed is said to have been Dean here (London), but in what year, it does not appear."—*Hardy's Le Neve*, ii. 309. That he was never Dean of St. Paul's is clear, as he would not have resigned the Deanery for the Chancellorship of Lincoln. Perhaps there was a confusion between Lincolniensis and Londoniensis, as Godwin makes him Dean of Lincoln.

CHAP. II. Richard Grant. 1229–34.

described as Chancellor of Lincoln, when he was appointed to the primacy, and the probability is, that this was the highest dignity he held in the Church, before his consecration. He is said to have been appointed to that dignity in 1221, and to have enjoyed it eight years—until his elevation to the see of Canterbury.*

According to Tanner, the following works were written by Richard Grant :—

I. De fide et legibus, lib. I.

II. De sacramentis, lib. I.

III. De universo corporali et spirituali, lib. I.†

When authors were few, the writer of these treatises must have been a man of mark. His love of literature, and his literary pursuits, recommended him to the notice and friendship of Gregory IX.

The ambition and pride of Gregory IX., which impelled him, under the guise of religion, to wage an internecine war with the Emperor Frederick II., are sufficiently reprobated by impartial historians ; but, whatever may have been his faults as a politician, Ugolino di Conti di Segni set a bright example of moral excellence, in his private life, and was the author of several works, of which a list may be found in Cave's "Scriptorum Ecclesiasticorum Historia literaria."

At the death of Stephen Langton, there arose a controversy with respect to the appointment of his successor ; of which we have had instances on former

* Hardy's Le Neve, ii. 91.

† Tanner, 626. As regards the Constitutions, which Tanner also attributes to Richard Grant, from the confusion, which has arisen between the two Richards, the authorship of them cannot be determined with certainty. See the whole subject discussed, in Johnson's Laws and Canons of the Church of England, ii. 127. This work is admirably edited by the Rev. John Baron. When the Canons are quoted in English, I generally use Johnson's translation.

occasions. The chapter of Canterbury, the king, and the suffragans of the province, were all concerned, or claimed to concern themselves, in the appointment of a primate, and all had strong reasons to advance in favour of their respective pretensions.

No one disputed the right of the chapter to elect. But, in many of the cathedral chapters in England, a peculiarity and anomaly prevailed, which, introduced by Dunstan, continued till the reign of Henry VIII. Several of the cathedral chapters were filled with monks or regulars; and this was the case at Canterbury. In these cases, the diocesan stood to the chapter in the relation of an abbot, the immediate government of the house devolving upon the prior. In small corporations, a certain narrowness of mind is sure to spring up, in many of its members, who sometimes form the majority. The monks of Canterbury, in electing a primate, instead of having regard to the interests of the Church and kingdom, assumed that a person, qualified to discharge the duties of an abbot, could not fail to be qualified for the discharge of those high functions in Church and State, which devolved on the metropolitan of the southern province, and the primate of all England.

It was more than could be reasonably expected, that the king should permit a chapter of narrow-minded monks to elect the first peer of the realm; and thereby to confer, not merely ecclesiastical authority, but political power. That he had a right, though the right was undefined, to bear some share in the appointment of an officer so important and powerful both in Church and State, was implied in the fact, that the chapter would not proceed to elect, until first permission had been obtained from the Crown. The permission might be withheld, until the electors showed, that they would exercise

CHAP. II.

Richard Grant. 1229-34.

their privilege with discretion. With the *congé d'élire*, very frequently came, then as now, a recommendation of the clerk to be elected; or, when that was not the case, it was expected that a conference would be proposed, between the chapter and the Government, before the election took place. Then, again, the powers of a metropolitan were, at this time, so nearly despotic, as to render it important to those, who were subjected to his jurisdiction, to have at least a veto upon his appointment. He was to his suffragans, what they were to their archdeacons, and it did, by no means, follow that, because a man was qualified to govern a religious house, he would have the discretion necessary to conduct the affairs of a national Church. The principle of free election, on the part of the chapter, was one which the bishop would have supported, as against the king; and yet, with the king, they would act in violation of the principle, to overawe the chapter, when they seemed to be pursuing a course, objectionable in regard either to the Church or to the State. The law was on the side of the chapter, but equity would decide very frequently in favour of the king and the bishops; and all parties, the one to establish the law more firmly, the other to obtain certain equitable rights, were induced, at certain periods, to sanction the introduction of a new law, through which all the legal authorities were brought into subjection to a usurper.

It was so now. The *congé d'élire* was received at Canterbury. It does not appear that any clerk was named, in the mandate for an election. The late archbishop had died on the 9th of July, 1228. On the third of August, the chapter met; and a monk of their church, Walter of Hemesham,* was elected.

* Eynesham, Luard Ann. Theoks. 70. Hemisham, M. Paris. Evesham, Wikes.

The election was duly announced to the king, and both he and his council were taken by surprise. It may be, that the council had not been able to come to a decision, as to the person to be recommended to the chapter; but they fully expected that, before proceeding to elect, the monks would have communicated with the court. Against the person elected, very serious objections were urged. The king complained that, when he asked for a chief counsellor in the primate, the chapter had presented to him a man quite incompetent for the high functions to which he was called. Walter de Hemesham was said to be the son of a man who had been convicted of theft, and who had been hung for the crime; it was further stated, that he had taken part against King John, when Canterbury was, in his reign, placed under an interdict, under circumstances already mentioned.

The suffragans of Canterbury not only united with the Crown, in opposing the election, but intensified the opposition, by impeaching the moral character of the elect. After protesting against an appointment to the primacy, made without their concurrence, they proceeded to accuse Walter de Hemesham of having seduced a nun; and they declared that it was well known that he was the father of several children.

This opened a question concerning the moral condition of the monastery itself. The election of a disreputable person was an argument in favour of the suspicion, that the whole establishment was in bad repute. The immoralities of many of the monks, and the want of discipline in the whole establishment, were, upon investigation, brought to light. This was a card in the hands of the opponents of Walter de Hemesham, which they were not slow to play. Having ascertained the fact, they threatened to break up the chapter, and

CHAP. II.

Richard Grant. 1229–34.

to replace the regulars by the appointment of secular clergy, as was still the case in some of the most important cathedrals in England, and almost invariably the case on the Continent.* It was hoped that, intimidated by this threat, the chapter would yield to the injunctions of the Crown and the hierarchy, and proceed to a new election.

Instead of wasting his time for taking part in a controversy, which could not, under any circumstances, be immediately settled, Walter de Hemesham had already started for Rome. There the chapter were well aware that the cause of a monastery was likely to be regarded with favour. And Walter knew that the proof of his delinquencies could not be produced in the distant

* We gather this from a very interesting letter from Master Philip de Arden, to Ralph, Bishop of Chichester, and Chancellor, from Rome. Philip was evidently required to sound the pope on the subject; but perhaps the authorities at home were not very serious in pressing the measure, designed chiefly as a threat, and Philip was the less earnest in his exertions, as he was intriguing to obtain the primacy for the chancellor. See *Royal and Historical Letters*, i. 340. Philip had urged the case against the monks, and when the representative of the chapter was presented to the pope, Philip intruded himself amidst his attendants; Gregory saw him, nodded to him, and chaffed him, asking him jocosely, whether he appeared among the monks from ambition to receive the cowl. "Cui respondi quod nolui cucullam, sed volui in ecclesia Cantuariensi bonam habere præbendam, cum per monachos confundatur illa ecclesia. Quibus recedentibus, remansi cum domino papa exponens eidem, quantam utilitatem consequeretur universalis ecclesia si amotis monachis poneret ibi canonicos sæculares, prout proposuit dominus Innocentius facere. Quibus auditis, quæsivit qualiter possunt tot monachi a loco illo amoveri. Cui respondi quod plures fuerunt in Anglia domus religiosæ ordinis illius, in quibus poterunt collocari qua . . . . monachi isti, et locus eis assignari posset cum sufficienti exhibitione de eadem ecclesia, quoad viverent, ubi competentius Deo possunt famulari quam in dicta ecclesia . . . . fere nulla *ubi inveniatur distinctio inter monachos et mulieres de civitate.*"

capital, without considerable expense and delay. Nothing could be less welcome to the Government, than the intelligence of this virtual appeal to Rome; and it was anticipated that, taking the appointment of Langton for a precedent, the pope would force upon the Church and country, his own nominee. True wisdom always looks to consequences. Passion disregards the future, and seeks only present indulgence. The Government, on this occasion, only desired to triumph over the chapter of Canterbury. The king and prelates determined to act together. They would accept the papal nominee, if the man elected by the monks was rejected; and, for his rejection, they were prepared to offer a bribe to almost any amount. They had not the prudence to select a man to be recommended to the pope: the chapter had appealed to him, they would do the same; and the authorities at Rome were well pleased to find, that the whole business was placed in their hands.

The first thing that was done was, to reduce to writing the charges which were brought against the chapter and the archbishop elect. The seals of the king, and of all the suffragans, were attached to the document; and the document was placed in the hands of three commissioners, the Bishop of Rochester,* the Bishop of Chester,† and John, Archdeacon of

* Henry Sandford, the philosopher, was consecrated to the bishopric, in the palace of Canterbury, on the 9th of May, 1227. He was Archdeacon of Canterbury, 1202. He died the 24th of Feb. 1235. Godwin. Stubbs.

† Alexander de Stavenby was consecrated, at Rome, to the see of Lichfield, on the 14th of April, 1224, by Pope Honorius, who, at the same time, consecrated the Bishop of Paris. He had been a student of Bologna, chamberlain to the Pope, and was a doctor of divinity in the school of Toulouse. He was treasurer of Lichfield in 1220. He added two prebends to his cathedral,

CHAP. II.

Richard Grant. 1229–34.

Bedford.* These ambassadors were invested with plenary powers, and carried with them private letters from the king and the bishops, to the pope and his cardinals. The English ambassadors arrived at Rome, and, as usual with the English, in diplomacy, they were outwitted. Gregory IX. determined to bring all the arms and artifices of Rome to bear upon his great enemy, the Emperor Frederick II. Although, as we may gather from Wendover, and from subsequent events, the feelings of the English were soon enlisted on the side of the Emperor, there had been, as yet, no time for the feelings to be developed on either side. Although we may now be of opinion, that Frederick acted, throughout his negotiations in the East, with the

and built the Grey Friars monastery. He died on the 25th of December, 1238, at Andover, and was buried at Lichfield. When the diocese of Lichfield was originally founded, it was called the bishopric of Mercia : the name was afterwards changed to Lichfield, then to Chester, next to Coventry and Lichfield or Lichfield and Coventry, and again to Lichfield only, by Order in Council, 22nd December, 1836. The present bishopric of Chester was created by charter, dated 4th of August, 1541, out of the abbey of St. Werburg, in Chester. Anterior to the erection of this see, the bishops of Coventry and Lichfield frequently styled themselves bishops of Chester. This church and diocese, with the archdeaconry of Richmond, were, by Act of Parliament, 33 Henry VIII. c. 31, dissevered from the province of Canterbury, and united to that of York. I enter into this explanation, because the occurrence of the title of Bishop of Chester in the Mediæval Church has sometimes perplexed readers, better acquainted with the modern than with the ancient history of our Church. I not long ago read a grave censure, addressed by a learned reviewer to a much more learned historian, for his ignorance in speaking of a bishop of Chester in the year 1371. In Wendover, this very Alexander de Stavenby is called also Bishop of Coventry.—Godwin. Stubbs. Hardy's Le Neve.

* John Houghton was Archdeacon of Bedford in 1228, and in 1231 was removed to the archdeaconry of Northampton.—Le Neve. He appears to have been the most active of the ambassadors. Wendover says, "Et præcipue Magister Johannes Le Houghton."

skill of a consummate statesman, yet, at this precise period, if any credit was to be given to the letter of the Patriarch of Jerusalem, appearances were certainly against the emperor. The prejudice would only be the greater, if we assume, what most moderns would probably admit, that Frederick was in advance of his age.

The ambassadors, therefore, inclined to the papal view of the subject; and they soon found, that their present object, in which the passions, as well as the interests of their constituents were engaged, could not be obtained; unless they were prepared to render more substantial support, than mere expressions of friendly feeling. They pressed both the pope and the cardinals, to hear their case, and pronounce a judgment. The representatives of the monks were, in the meantime, treated with a degree of respect, which caused, in their minds, an expectation, that judgment would be given in their favour. To the papal argument, by this circumstance, the ambassadors were prepared to give the more attention. A war had commenced, with a contumacious and excommunicated emperor. A war under the pope, and for a religious object, the punishment of a heretic—it was suggested even an infidel—was a religious war. A religious war, so it had been ruled by Innocent III., was a crusade. Towards a crusade, all the Churches —that is, all the nations of Europe, for the absurd idea of excluding laymen from the Church had never yet been entertained—were bound to contribute. Some nations, however, at the present time, demurred—Would the ambassadors, in the name of the King of England, and of the Church of England, pledge their Church and nation to do its duty?

The ambassadors understood what was meant, and held, what is called by Wendover, writing when the

CHAP. II.

Richard Grant. 1229–34.

public opinion was roused against their proceedings, a detestable council; and they promised, in behalf of the English King, a tenth of all the movable property in Ireland as well as in England.*

The promise was made. The suit of the monks was to be dismissed. The question was—how was this to be done? The charges against Walter, and the impeachment of his moral character, had been set aside. But it was evident that he was, if not wholly uneducated, yet a man of weak intellect. He was ordered, therefore, to submit to an examination.† The examining masters were duly appointed. They were such as became the pretensions of the examinee—a bishop and two cardinals. The archbishop elect of Canterbury stood before them, nervous, as a person passing an examination generally is. He was asked concerning our Lord's descent into hell, whether He descended in the flesh, or out of it? What his answer was we know not. Both question and answer were given in writing, and the examiners simply wrote—*Male respondit.* He was asked what was to be done, when excommunication was to be pronounced contrary to law; *male respondit.* He was questioned as to the production of our Lord's body upon the altar; and he was asked, concerning matrimony, what was to be done, if either of the contracting parties should die an unbeliever. The answers to these questions were declared to be as unsatisfactory as before. The examining cardinals, in making their report, declared,

* "Unde habito tractatu detestabili super præmissis."—*Wendover*, iv. 184.

† The examination of a clerk, for a bishopric, was a part of the regular process, preceding confirmation, to show the fitness of the person chosen. It was, however, a mere form, except when, as in this case, and some others, it was pre-determined to reject the candidate.

that the archbishop elect had answered, not only not well, but *pessime.**

The pope, therefore, declaring that the Church at Canterbury, being a noble church, ought to have a noble prelate, dismissed the monks.

But the promise of the English embassy had not been ratified; and the pope added ominous words. So noble a church deserved such a prelate as only the Church of Rome could supply, and the see being now vacant, he would himself provide for it a suitable archbishop.

The ambassadors were aware, that, in the state of public feeling in England, the appointment of a primate by the pope might cause an excitement, which might end in a revolution. They asked for time, before they could give their assent to the proposal of Gregory, and wrote for instructions from home. All that Gregory wanted was, a ratification, on the part of the king and bishops of England, of the agreement made by their representatives at Rome. The delay was, accordingly, very readily granted. It is evident, meanwhile, that the friends of Ralph, Bishop of Chichester, desired to obtain the primacy for him. Philip de Arden, in writing to the chancellor, stated that, before judgment was given against the monks of Canterbury, the pope had asked, whom the king wished to be promoted to the see of Canterbury, in the event of Walter's rejection. He says that a certain person was mentioned, in the course of conversation—of whom the pope evidently spoke in disparaging terms, as Philip declined to repeat his words. It is probable, that this was Peter des Roches, Bishop of Winchester, the

* The pope seems to have been strong on the side of examinations. John, Prior of Canterbury, was subjected, in 1232, to an examination of three days on nineteen points.

CHAP. II. Richard Grant. 1229–34.

opponent of Hubert de Burgh. Philip then mentioned the chancellor. What followed was not complimentary, and we may presume that the pope's ignorance was affected. "Of yourself he said, that he was not acquainted with you. To which I answered, that you were he of whom my Lord of Coventry (called by Wendover, my Lord of Chester) concerned himself, when my said lord, the pope, was in a lower office. He said, I do not recollect. At length, when I had laid before him your condition, conduct, knowledge, probity, and the love and devotion which you have for the Church, I expressly assured him, that I knew no man so fit for this office, having regard to respect for the apostolic see, and the advantage of the Church of England, as well as the whole realm. To this I received an answer such as I wished for. And afterwards, when I publicly spoke to the same effect, before the pope, in the presence of the cardinals, when mentioning other business of the king, I received a favourable reply. Wherefore, I am certain that, unless you compassionate those who would procure the contrary, the said matter will proceed according to the mode provided in the king's presence, at my departure from him. And I well wish you to know, that you not only have grace in the presence of the lord pope, but generally in the sight of all the cardinals." *

The authorities at home were much perplexed as to the course to be pursued. Hubert de Burgh was still at the head of affairs, anxious to rescue the country from its thraldom to Rome; and anything would be better than to submit to the appointment of an Italian, a nominee of the pope, to the see of Canterbury. The country would not stand it. Yet a person, known to

* "Royal and Historical Letters," temp. Henry III. i. 340. Of this distinguished prelate, we shall have more to say hereafter.

be strongly opposed to the papal interests, could not be proposed with any probability of success. Richard, Chancellor of Lincoln, was at length fixed upon. He was a man, in every point of view, respectable, without sufficient ability to be troublesome to the Government. In their hostility to the chapter, the king and bishops yielded to the necessity of the case. They set aside the rights of their own Church. They established an evil precedent. They permitted the pope to nominate, provided he nominated Richard Grant. When the pope had received the security of the king's letters, with reference to the subsidy, he yielded at once to a request; for the rejection of which no valid reason could be assigned; and Richard, Chancellor of Lincoln, was, in the expression of Wendover, not elected, but given to the see of Canterbury.

In regard to the consecration of the archbishop nominate, a controversy arose. Roger Niger was to be consecrated Bishop of London, and Hugh Norwold Bishop of Ely, at the same time. The Bishop of Rochester, as vicar of the cathedral, and the Bishop of Bath, as senior of the College of Bishops, both claimed the right to officiate, and neither would give way. In the end, it was agreed that the Bishop of Rochester should consecrate the new archbishop, in the choir; and the Bishop of Bath, the two suffragans in the chapel of the Infirmary at Canterbury. The rights of each prelate were reserved.

Short as was the episcopate of Richard, the troubled state of the country, occasioned in some measure by his appointment, must have caused him considerable anxiety, while he did not evince the discretion, which was so needful for the time.

King John, it will be recollected, had left the country little better than a fief of Rome; and, as the dependence

CHAP. II.

Richard Grant. 1229–34.

of one country upon the sovereign of another, for the sake of protection, was not, at that time, regarded as disgraceful, the nobles had given their consent. But when it was found that, for the protection of the pope, the country would have, through taxation, to pay a fearful price; and when a national feeling had been created and aroused, it was very soon determined to throw off the yoke. The anti-papal spirit united the nation. Archbishop Langton had retired, like a wise man, from an ostensible share in the Government, after the signing—to use the common phrase—of Magna Charta. He saw that, for him to place himself in direct opposition to the papal authorities, would do more harm than good. While the wise Earl of Pembroke was blowing the national spirit into a flame, by conciliating the nobles, Stephen Langton pursued a similar course of conciliation towards the court of Rome. He succeeded, at last, in obtaining a promise from the pope, that, so long as Langton lived, no resident legate should be appointed in England. The three great men of the age, though representing different parties, and at one time acting, two of them at least, in opposition to each other, were one in their determination to unite England, and to make it independent.* They were unintentionally assisted, in their patriotic endeavours, by the avarice of Gualo—who, while the people were yet disunited, and consequently knew not their strength, plundered them without mercy—and by the insolence of Pandulph.

The country was in no way prepared, therefore, to ratify the simoniacal contract between the Crown and

* "That the fall of Pandulph," says Mr. Shirley, "was occasioned by the joint action, or the tacit understanding of Archbishop Langton and Hubert de Burgh, may be safely asserted as a fact."—*Preface, Royal Letters*, xxiv.

the pope; and the clergy were indignant at the conduct of their bishops. Everything was mismanaged. The pope, eager to obtain the promised subsidy, sent immediately a legate to England; and the legate, whose very appearance had a tendency to create an ill-feeling, presented himself before a council, which was convened for the second Sunday after Easter. Already the principle was tacitly at work, which led to the creation of a parliament in the modern sense of the word. The summons was addressed to the archbishops, bishops, abbots, priors, templars, hospitalers, earls, barons, rectors of churches, and all who held in chief of the king. They could not have attended in mass, and were present, therefore, by their representatives; each party being, in fact, represented by those of their order who were pleased to attend. The indignation against the king and the bishops was loudly expressed, and the laity refused the payment, which was demanded. The bishops met with a resistance, which it took them three days to overcome. The clergy yielded at length, but they did so only under threat of excommunication. The legate threatened to excommunicate all, who resisted a demand, which, he contended, the pope had a right to make, when waging a religious war; and which had received the sanction of the king and his prelates.

Excommunication had not yet lost its terrors. The right of the people to refuse payment of taxes, not self-imposed, though asserted, was not yet fully recognised. The people were not combined. The legate, therefore, in the king's name, demanded the payment of the subsidy promised by the king to the pope, and consigned to perdition all who refused. The laity, as well as the clergy, gave in, all, except Ralph, Earl of Chester, who refused payment for himself, and for all

CHAP. II. Richard Grant. 1229–34.

under his jurisdiction, whether of the laity or of the clergy. With impolitic avarice, Stephen, the legate, compelled the payment from the crops of the coming autumn, which were still in the blade; and so pressed upon the bishops, that they were obliged to sell or pawn their plate. In order that there might be no excuse from the difficulty of procuring money, Lombard merchants were sent by Gregory to London. They opened their offices in Lombard Street, and they were ready to advance the money required by the legate, on the production of good security.

All these things were working in the right direction—were tending to compel Englishmen to resist foreign aggression, and to act in combination—to become a nation. The spirit was strong among the people, which was soon to show itself in the wars of the barons. The legate was abetted in his proceedings by foreigners settled in the land. The foreigners were many; and they had been thrust into the preferments of the church by the pope. Many lands also owned a foreign and an absent lord. A secret society was formed for the expulsion of the foreign churchmen. The confederation embraced men of every class and station. Barons and sheriffs, the clergy, (including bishops,) were known to belong to it, though who they were could only be guessed. The chief statesmen were suspected of having connived at it. The members declared, that they were ready to die rather than be plundered by the Romans. They had their seal, bearing the device of two swords, with the motto between them, "Behold, here are two swords." They despatched missives through the length and breadth of the land; some of them were issued *de communi concilio,* others *de communi concilio magnatum.* The people, willing to be deceived, assumed, that they came from the king. Bishops and chapters were

thus invited to avenge the wrongs of the country; they were commanded not to assist the foreigners, when their lands were attacked, on pain of having their own goods burnt or destroyed. Those who farmed benefices for foreigners, were warned to make no future payment, but to reserve the money in hand, until it was demanded for the confederation. The name of Will Wither was attached to these documents. Masked men went forth under their gallant leader. The barns of foreign ecclesiastics were pillaged, the corn sold cheap, or given to the poor. Foreign ecclesiastics were seized and imprisoned, or obliged to hide themselves in monasteries.

The pope complained to the king. But the king became aware, that the movement was national. His own chief minister, Hubert de Burgh, was more than suspected to have connived at the proceedings. Will Wither proved to be a gallant young knight, Sir Robert Twinge. He boldly declared, that he had done what he was accused of doing, out of hatred to the Romans, and he gloried in his deeds. He had himself been hardly used. He was the patron of a living; and twice his rights had been illegally superseded, and Italians forced upon his people. He openly declared, that he had rather be unjustly excommunicated, than be robbed of his benefice without a trial. The king, having communicated the state of affairs to the pope, ordered Sir Robert to proceed to Rome, as he had already received the sentence of excommunication—and there to state the circumstances of his case. The king sent letters to the pontiff, stating the condition of the country, and urging conciliatory measures. The young knight carried with him letters from the chief men of the country, who made Robert's case their own; and demanded, that respect should be hereafter paid to the right of advowson, which they had in churches endowed

CHAP. II.

Richard Grant. 1229–34.

by their ancestors. At the head of the remonstrants appeared no less a person than the king's brother, Richard, Earl of Cornwall. The pope averred, that he was not aware of the infraction of the rights of patrons, and ignored the acts of his agents. He found it necessary to yield, and stipulated never again to interfere with the rights of lay patrons. This concession is the more remarkable, from the fact that, when first the news of insurrection reached Rome, bulls were issued for the excommunication of the offenders.* The insurrection itself has not attracted so much notice as it deserves. It marks the progress of that nationality, the commencement of which we have dated from the signing, so to speak, of Magna Charta. Celt, Saxon, Dane, Norman, had now formed one people. The English nation was trying its strength, and the enthusiasm of young England was directed, throughout this period, to the one object, of asserting the national independence. This was the spirit, excited and encouraged by Langton, Pembroke, and Hubert de Burgh.

Nothing can show the direction of the public mind more strongly, than the comparative indifference which was manifested on a subject, which we should regard, in these days, as of the very first importance. Hubert de Burgh, who had so gallantly maintained the cause even of John, when his tyranny had provoked the other barons, with a few exceptions, to tender the Crown to a French prince; had directed his whole attention to the support of the English throne, against the intrigues of the papal legates, and to the encouragement of a patriotic feeling among all classes of the people. He was not scrupulous, however, as to the means to be

* One of these may be seen in the "Fœdera." There is another in the "Annal. Burton." but with respect to this there seems to be a confusion of dates.

resorted to for raising money; when money was required, either for national purposes, to counteract the machinations of the pope, or to bribe the extravagant young king into an acquiescence in those measures, which the public good required, but the bearings of which he had not the sagacity to perceive. The importance of the great principle, asserted in the Charter, on the subject of taxation, was overlooked or disregarded by Pembroke and by Hubert. When money was wanted, it must be obtained, by fair means, if possible, if not, *quocunque modo*. The people grumbled, but submitted. It was not the point, to which the national mind was especially directed.

It was through a measure, not in itself to be justified, that the great justiciary was first brought into collision with the new primate. The king was already in want of money, as he always was, for the indulgence of his refined and elegant, but expensive tastes. Hubert, whose influence with Henry was declining, advised the king to demand a scutage of three marks for each escutcheon, from ecclesiastics, who held baronies, as well as from the laity. The archbishop remonstrated and resisted. It seems, that the order was given, when the king was on the continent, acting under the advice of such of his council as happened to be present at his court. The clergy had the right to tax themselves, and could not be called upon to submit to a tax imposed arbitrarily by the king. The archbishop was clearly in the right, and might fairly expect, that the laity would unite with him in their resistance of an unconstitutional act; but he was not even supported by his own suffragans. Wendover tells us, that a council was held at Westminster, in deference to the opposition raised by the primate; but although the subject was debated, the great majority of the clergy,

CHAP. II.

Richard Grant. 1229–34.

as well as of the laity, yielded readily to the wishes of the king.

They trusted Hubert. They knew him to be a patriot. They had no confidence in Richard; they knew him to be intriguing for the pope; they saw him supported only by those foreigners, who held preferments in England, and against whom the spirit of the nation was roused. If we regard the question in the abstract, the archbishop's conduct was laudable; but more laudable was the public spirit, which refused to be distracted from the one great object of maintaining the national independence, and of resisting those foreigners who, when England was only inhabited by hostile tribes, had preyed on the very vitals of the country.

The archbishop was bitterly opposed to the government of Hubert, and to the justiciary himself. The policy of Langton had been, at any sacrifice, to keep papal legates out of England. Richard nearly persuaded the king to ask for a legate from Rome, in order that he might have a minister to supersede Hubert as chief adviser of the Crown. He wished to keep the country in the state to which it had been reduced by John, and to make it a fief of Rome. Through a legate, he expected to govern and direct the facile king. Although Hubert's influence was wavering in the court of Henry, and although he was soon to be supplanted by a foreigner—Peter des Roches, Bishop of Winchester—he was still too strong for the primate, who was the more mortified, as he had a quarrel with the justiciary, of a private nature.

Hubert spent his money liberally, and with a view to the public good; but it is not to be denied, that he was grasping, and that he was not exempt from the influences of personal ambition. He was created Earl of Kent, in

1227, and on the death of Gilbert, Earl of Clare, he obtained from the king the custody of the Castle of Tunbridge, during the minority of the young nobleman. This appointment the archbishop resented, as a violation of the rights of his see. He affirmed that the late earl and his predecessors had done homage for the castle and town, to the predecessors of the archbishop. The custody of the minor's property, therefore, devolved upon the primate. The answer was, that the vacant trusts of the nobles and of their heirs, until they came of age, pertained to the Crown. The king, in consequence, was at liberty to sell or give them at his own pleasure. The rule was applicable in the present case, as the late Earl of Clare was tenant-in-chief from the king. We have seen similar controversies with respect to this very castle of Tunbridge in former reigns. Richard determined to follow the precedent which, under similar circumstances, had been established by Thomas à Becket. He took the law into his own hands, and excommunicated the intruders on the property in dispute, together with all such persons, with the single exception of the king, who should hold communication with them. But the position of St. Thomas of Canterbury differed essentially from that assumed by Richard Grant. Thomas represented the people, and, in the name of the people, stood opposed to the will of a despot, in all things. Richard was unpopular, because he was deficient in the patriotic feeling which, animating the clergy, together with the majority of his suffragans, made them, and the great body both of barons and people, his enemies.

Richard determined to have recourse to the pope, and he repaired to Rome, there to intrigue against the interests of his country.

At Rome he was received, as might be expected,

CHAP. II.

Richard Grant. 1229-34.

with that favour which he experienced from no one at home.

He endeavoured to reanimate the papal councils, and revive the spirit of Innocent III. At this time, however, the papal authorities were less anxious to assert pretensions, which they found it impossible to sustain, than to obtain grants or gifts in money. The ambition of Rome, henceforth, was chiefly directed to the one object of filling the papal treasury. Nevertheless, Richard was heard with patience, as he complained of the young king of England, that he left the management of all his affairs to Hubert the justiciary; thereby insinuating the policy of sending a legate, who might co-operate with Richard, and promote the papal interests. He also complained of his suffragans, that, instead of attending to their pastoral duties, they were filling the great offices of State. He accused the inferior clergy of following the example of the prelates, and devoting themselves to secular business. In our introductory chapter, we have considered and accounted for the justice of these charges. But, to bring such charges before the authorities of the papal court, was nothing short of hypocrisy. No less a person than St. Bernard* had complained that the consistory was occupied in judging causes from morning till night, and that the pope, who presided, was so encumbered with affairs, that he had no breathing-time. The court, he said, was full of solicitors, pleaders, counsellors—self-interested, passionate, disingenuous men, seeking to overreach their antagonists, and to grow rich by fleecing others. The animus of the archbishop was, moreover, evident, in his having recourse to one of those measures of annoyance, which we have shown in the introductory chapter to have

* St. Bernard, quoted by Fleury.

been frequently adopted. He endeavoured to wound Hubert through his domestic relations, and accused him of having married a woman, who was too nearly related to his former wife, and from whom he required him to separate. The king and Hubert had their advocates, in an embassy, at the head of which appeared Robert, or Roger, de Cantilupe; but the archbishop was in such favour at Rome, that he was promised all the assistance he required, to overthrow the Government of Hubert, supported though it was by the majority of the suffragans of Canterbury.

Richard, elated with his prospects, left Rome on the 1st of August, 1231, on his journey homewards. On the 3d of that month, he accepted the hospitalities of the Minorites of St. Gemma's, and on that day he died suddenly.*

He lay in state, and in full canonicals was consigned to the grave. In the night, the coffin was opened by certain persons, who laboured under the impression, that the splendid ornaments by which the corpse was adorned might be more profitably employed, if they came into their possession. They endeavoured to abstract the jewels. But Richard the Great, it is said, was too strong for them. They pulled and pulled, but neither by force nor yet by skill could they rob him of his treasures. They remained *in mortmain.*

This story is told on the authority of Matthew Paris. The reader, however, it is to be hoped, is too loyal an Englishman to give credit, without further evidence, to a tale, which invests with miraculous power a politician so unpatriotic as Richard Grant.

* "Obiit enim a Româ redeuns apud S. Gemmam tertiâ diætâ citra Romam anno 1231, die 3, Nonas Augusti."—*Ang. Sac.* i. 115. I cannot find either a St. Gemma, or a St. Gemina.

CHAPTER III.

EDMUND RICH.*

Born at Abingdon.—His Mother Mabel.—Her Asceticism.—Childhood.—School at Oxford.—Wedded to the Virgin Mary.—Goes to Paris.—Returns to England.—His Mother's Death.—Care of his Sisters.—Teaches at Oxford.—Becomes a Theologian.—Treasurer of Salisbury.—Preaches the Crusade.—Miracles.—New Decretals.—Candidates for the Archbishopric.—Election of Edmund.—His unwillingness to become Archbishop.—State of Parties.—Patriotism of Edmund.—Remonstrates with the King.—Consecration.—Rebukes the King at the Council of Gloucester.—Domestic Life.—Constitutions of Edmund.—Marriage of King.—The Legate Otho.—Opposition of Edmund to King and Pope.—Unpopularity of Otho.—Council at London.—Simon de Montford's Marriage.—Anger of Edmund.—Opposition to the Archbishop as a Reformer.—Archbishop at Rome.—Insult offered him by the Pope.—Confirms Prince Edward.—Thwarted by King and Pope.—Monstrous demands of the Pope.—Retires to Pontigny.—Speculum Ecclesiæ.—His Death.—Canonization.

CHAP. III. Edmund Rich. 1234–40.

Of the many Benedictine monasteries which existed in England during the middle ages, none was more celebrated than the Abbey of Abingdon. To the greater monasteries, towns were almost a necessary

* Authorities.—The materials for a life of Edmund are copious, such as they are. The basis of the present life is the "Vita Sancti Edmundi Cantuariensis Archiepiscopi, Auctore Bertrando Priore Pontiniacensis Monasterii," printed in the third volume of the "Thesaurus Novus Anecdotorum" of Martene and Durand; in which volume we have also the "Sermo Venerabilis Alberti Archiepiscopi Livoniæ, in translatione Sancti Edmundi Archiepiscopi Cantuariensis et Confessoris," and the "Epistola Universitatis

appendage. They were created, or rendered flourishing, by the residence of wealthy merchants, who were prepared to exchange for the produce of the soil, or of the flocks and herds of the monastic establishment, those foreign luxuries, which, as their wealth increased, the monks required and diffused. The town of Abingdon, (so called from Abba, one of the earliest colonists of Berkshire,*) though it did not owe its origin to the Abbey, had gradually increased in population and wealth, from the year 675, when Cissa invested his nephew Hean with a portion of land, of which Abingdon is the central point, on condition that he should there erect a monastery. The situation of the town, at the junction of the Ock with the Thames, made it a

Oxoniæ," a kind of testimonial, which contains a brief, but well-written, sketch of Edmund's life. Albert, Archbishop of Livonia, is the same person, who is called Albert of Cologne, Archbishop of Armagh. There are, in Martene, several other letters and documents relating to the canonization of Edmund, valuable as throwing light on the public spirit and feeling of the age. The life in Bertrand seems to be an expansion of the life in Surius, whole sentences being common to both writers. The "Chron. Lanercost" is valuable, as an appendix to Bertrand, and supplies some omissions. There is a life in Surius. The "Vita per Robertum Richium," the Archbishop's brother, is found in MS. Cleop. B. 1, fo. 24, 33. Mr. Hardy mentions also "De S. Edmundo Archiepiscopo Cantuariensi epistolæ quædam;" ex MS. Edw. Dering, Bart., Edit. Hearne, in the appendix to Fordun's "Scotichronicon," and "De S. Edmundo, Episcopo et Confessore," Capgrave's "Nova Legenda," F. 103. The first I have seen, not the second. Knighton's life, in the "Decem Scriptores," is, of course, only a transcript. The general history is gleaned from Roger de Wendover, edit. Coxe. Mr. Coxe's short notes are most valuable. Wikes, Trivet, Thorn. The modern writers are Alban Butler, and the writer in the "Littlemore Series." The latter is taken from Bertrand; the former is an abbreviation of the "Acta Sanctorum."

* Mr. Stevenson, in his preface to the "Chronicon Monasterii de Abingdon," rejects, on philological grounds, the usual derivation of Abingdon from the monastery there established—Abbey-dune, or Abbots-dune.

CHAP. III.

Edmund Rich. 1234-40.

convenient place of commerce; and when thirty thousand students flocked to the University, a thriving trade must have been carried on through Abingdon, between Oxford and the Metropolis. Among the families which prospered by trade, was that of Edmund, the forty-fifth Archbishop of Canterbury. The wealth of his ancestors procured for them the cognomen of Rich;* a name which, with a small estate, was inherited by his father. Reinald, the father of Edmund, was possessed of little more than a competence, when his son was born. Reinald and Mabel Rich lived happily together, and had six children, four sons and two daughters. Edmund was born towards the close of the twelfth century; and St. Edmund's Lane, at Abingdon, still exists, to indicate the locality of his father's house. Wonders are said to have attended his birth and his early training, such as readily present themselves to the mind of an hagiographer, who narrates, not merely what actually occurred, but what may appear to him as possible, though improbable. The midwife informed Mabel, that her child was still-born, and from morning till evening he lay apparently lifeless. When they were preparing, however, to bury the babe, the mother desired that it should be baptized. The sacrament was administered, and the baptized child soon gave signs of life. Other circumstances were added, which are offensive both to the decency and piety of modern times. The appearance of the child, it was said, was such, as by its outward purity to indicate the absence of all defilement from his soul. He received, at baptism, the name of Edmund.

His mother, Mabel, was a remarkable person. She

* Reinaldus nomine cognomento Dives Anglicano vocabatur idiomate.—*Bertrand*, 1775. In the life in "Surius," it is said that this name, "apud Anglos frequentius occurrit."

was, though not a fond or judicious, yet a devoted mother. Her ambition was to educate her favourite son, and to qualify him for canonization. Although she did not live to see it, her object was accomplished. Her sense of religion was deep, earnest, enthusiastic. It degenerated into an austere fanaticism. The fanaticism assumed, of course, the character of the age. Every species of comfort she denied herself, and begrudged to others.* Her fasts were unwholesomely rigid; and, to avoid the pain of seeing others give indulgence to a healthy appetite, the supply of food to her household was scanty. By day, she wore stays of iron, not, as a modern hagiographer informs us, like ladies of the nineteenth century, to improve her figure; but to press closer to her bleeding flesh the chemise of horsehair, which added to her many meritorious discomforts. The merits of horsehair were, in her estimation, so great, that, when her sons grew up, they always found a horsehair shirt in their scanty wardrobe. Her nights were short; for she rose, at midnight, to attend the vigils of the neighbouring monastery. This strict

* "Ut autem sincerius suum servaret propositum in castitate corporis, domare curavit assiduè duris disciplinæ legibus tyrannicos motus carnis: unde contra carnales conflictus armis militiæ continentium congruis se induit, cilicio videlicet aspero, quo carnis nuda calcaneo tenus contegere consuevit. Addidit et loricam ferream insuper, quam fine tenus carni suæ portavit individuam, ut indumentum pilosum premente ferro plus pungeret carnem ipsam. Inter loricam duæ laminæ ferreæ ad majus erant supplicium, quarum mater moriens suos filios fecit hæredes, Edmundum scilicet, de quo intendimus, et Robertum. O mulier expugnatore urbium validior, quæ proprios ut vindicaret excessus, sibimetipsi bellum intulit, et prælii plusquam civilis, plusquam etiam intestini certamen aggressa, et pro semetipsa et contra semetipsam arctissimæ pœnitentiæ acies ordinavit. Utebatur armis materialibus in pugna spirituali, quibus eadem pariter et vinceretur, et vinceret, eo se semper armatam reperiens, quo semper inermem diabolum reperiret."—*Martene*, 1775.

CHAP. III.

Edmund Rich. 1234–40.

observance of those outward signs of piety, which the age applauded, was, in her case, the result of an honest and good heart, which prompted her to do what she regarded as a duty, let the consequences be what they might. To her, it would have been a luxury to have been admitted an inmate of the strictest monastery in the land; but she denied herself, that she might educate her children. We are not, however, surprised to find that the more self-indulgent old merchant preferred a monastery, to such a home as that which Mabel latterly provided for him. When he proposed a separate maintenance, she rejoiced; for his sake, because, to put on the monkish garment would be as profitable to his soul, or nearly so, as her own hair chemise and her iron stays; for her own sake, for she could enjoy and increase her austerities, without the tender remonstrances or the sterner rebukes of her husband; for the sake of her children, as the hindrance to their sanctity, from the example set by a worldly father, was now removed.

The monastery* which Reinald chose for his retire-

* "Reinaldus . . . . qui de consensu conjugis sæculo valefaciens in monasterio de Eivesham sub habitu regulari consummavit feliciter cursum."—*Bertrand*, 1775. Eivesham is sometimes supposed to be Evesham; but when we find that Ensham was near his home, that it was connected by a school with Oxford, and that Edmund went early to a school there (see Wood, ii. 759), we see ample reason for concurring with those who translate Eivesham into Ensham, or Eynesham. Of this Benedictine Abbey, the following is the history given by Tanner, Notit. Monast. Oxfordshire, xii. :—"Egnesham, or Eynsham, a Benedictine Abbey, built or endowed by Aethelmare, or Ailmer, Earl of Cornwall and Devonshire, before A.D. 1005, to the honour of the blessed Virgin Mary, St. Benedict, and All Saints. About the time of the Conquest it was almost left desolate, and given by Remigius, Bishop of Lincoln, to the monastery of Stow, in Lincolnshire, but restored and much augmented upon the removal of the abbot and monks of Stow hither, and by the lands which Robert Bloet, Bishop of Lincoln, in the beginning of the reign of

ment was Ensham, where he could be at hand to protect his family, if his protection should be required. The rules of the founder were, in some monasteries, strictly observed: but, in most of them, while the ascetic was treated with distinction and respect, the discipline of the house was so administered, as not to interfere with the enjoyments of those persons who resorted to it, less from the impulses of an enthusiastic devotion, than from disgust of the world; or with a view of ending their days in that peace and comfort, which were seldom to be found in the castle, or even in the humbler, but generally more luxurious, home of a merchant. A man like Rich, who could contribute largely to the funds of the establishment, was, doubtless, the associate of the abbot, and was one of the chapter, who were a kind of aristocracy, and lived in courtly state. The duties to be performed by the brethren were multifarious, but they were rendered easy by a division of labour. The extreme care taken by the master cook and the cellarer, to render palatable the food provided, even on meagre days, was contrasted favourably in the mind of Reinald, with the jealousy of Mabel, who regarded each morsel swallowed, on such days, with a relish, as so much poison to the soul.

If, when,

> "Sated of home, of wife and children tired,"

Reinald had resorted to one of the stricter monasteries, the father of Edmund would have been as celebrated, in hagiography, as Mabel herself. We are only told that he died a monk.

Meantime, Edmund was, under his mother's training,

King Henry I., gave to this place in exchange for Newerk and Stow. This monastery was valued, 26 Hen. VIII., at 421*l.* 16*s.* 1*d.* (Speed's first edition), and was granted, 35 Hen. VIII., to Sir Edward North and William Darcye."

CHAP. III.

Edmund Rich. 1234–40.

all that even such a mother could desire or hope. He was diligent in his juvenile studies, and showed little inclination for those manly sports, which would have qualified him to do battle in the world. His abstinence, however, from such pursuits, gladdened his mother's heart. When he saw Mabel, having discharged her household duties, kneeling on the cold hard pavement of the Abbey Church; mingling tears with enthusiastic devotions; the sympathising child would creep to her side, and impart the only kind of comfort, which to her heart was acceptable, by uniting his prayers with hers. The sound of a praying child is music to a parent's soul. Edmund's memory was taught to supply his heart with language. On all holidays, including the Lord's day, he repeated the whole psalter to his mother. Her iron stays and chemise of horsehair became to her as the softest down, when Edmund, gazing upon them, asked to have a little shirt of horsehair all to himself. When he had been a good child, the indulgence was granted, though only for a few hours. Children are always inclined to dainties in their food, and the Church did not require a child to fast; but Mabel was aware, that fasting becomes difficult to mature years, unless it be practised early. To accustom her child to acts of self-denial, she would bribe him, by a gift of toys, to appease, without satisfying, the cravings of a young appetite, by bread and water.

At the age of twelve, Edmund was sent to Oxford, not to the University, but to a school conducted by University men, for younger pupils. There was a school, as we have said, connected with his father's monastery, and to this, probably, he was sent. His father may have wished to secure a more manly training for his boy, than that which he was likely to receive from his mother. But the influence of his early training displayed itself soon after his separation

from one who, in enforcing the rigid discipline which she confounded with piety, flattered the rising ambition of her willing pupil. Edmund's loving nature always pined for, and had delight in, female society; and the imaginative young enthusiast looked out for some ideal object to which he might devote his heart. He fell in love with the Virgin Mary, or rather he formed for her a platonic attachment. He entered a church at Oxford, where stood a statue of the Virgin. He made a vow of celibacy, and, that he might be able to keep it, he wedded himself to the Mother of our Lord. He produced two rings, with Ave Maria engraven on each; he placed one on the finger of the image, the other on his own, and so he was espoused to the Blessed Virgin.* In general, he refused to indulge in a good night's rest, but we may presume that he now retired *Endymionis somnum dormire.* If the reader should think that a more egregious piece of folly had not been enacted, since the lunatic amours of the Icarian youth, he must remember, that Edmund only acted in the spirit of the age, and in that age many a young warrior was accustomed to address the Blessed Virgin in the name of love, and would vow to enter the lists as her own true knight. We cannot plead the circumstance of Edmund's being at this time only a boy, for his biographers assert that he cherished the remembrance of the transaction to the time of his death, and at his funeral the ring was observed upon his finger.

Edmund, at the same time, pursued his studies with

* The author of the "Chronicon de Lanercost" had frequently seen the image and the ring. "Nam in exemplum munditiæ illibatæ istud primo occurrit, quod puerulus intendens Oxoniæ grammaticalibus, gloriosæ Virginis imaginem, quam sæpe, et una cum tota Universitate, vidimus, clam desponsavit, imposito digito Virginis aureo annulo, quod multi postea oculis conspexerunt."—*Chron. Lanercost*, 36.

CHAP. III.

Edmund Rich. 1234–40.

all the ardour which distinguished his character. His intellectual exertions, however, united with his ascetic exercises, had the effect which might be expected; and his mother was summoned to Oxford, to attend the sick bed of her son, who was laid up with a brain fever—of which his marriage with the Virgin Mary may have been one of the earliest symptoms. The obvious remedy was to shave his head; but this, which with us would be an ordinary process, was to be connected, in the pious mind of Mabel, with a religious act; such as would, if her son recovered, influence his future life. The boy was to receive the clerical tonsure; the remedy had the anticipated effect; and Mabel returned to Abingdon, convinced that her son was restored to health, not by the skill of the physician, but by a miracle, effected through the tonsure.

It must have been about this time, that Edmund's father, unnoticed, died; for we find his mother soon after spoken of as a widow. Probably, however, before his death, he recommended that his son should be removed further from the influence of his mother; or she may have herself seen the propriety of removing him from a school to a university. It is necessary to fix a definite period of life, at which a youth shall be regarded as having passed from the restraints of boyhood, and the bulla be consigned to the Lares. A marked change is expedient for this purpose; and, in the 13th century the schoolboy of Paris would cross the Channel, to finish his education at Oxford, and the youth of Oxford would seek distinction at Paris, or in some other continental university. So good an understanding prevailed between Oxford and Paris, as to give rise to the verses:—

"Et procul et propius jam Francus et Anglicus æquè
Norunt Parisiis quid fecerint Oxoniæque." *

* I give the verse as I find it, Huber, i. p. 59. But Parisiis is

Edmund went to Paris, accompanied by his brother Robert. Mabel either could not, or would not, make them a sufficient allowance. Students passing from one university to another, in the humbler classes of society, were supported by alms, as we have seen to be the case in regard to the German universities at the present day; and as we know was the case with respect to Martin Luther. The friars had dignified the art of begging, and there was no disgrace attached to mendicancy. Mabel thought it, therefore, a useful discipline, to humble the pride of young Rich, and his brother, by compelling them to beg their way to Paris. The one point on which she was particularly careful, was to prevent their luxuriating in fine linen; she gave to each of them a sackcloth shirt, and her parting injunction was, that they should wear it three times a week, or at least every Wednesday and Friday.

But Mabel could not protect her sons from temptation, and the temptation came to Edmund as it had done to Joseph, being by both bravely resisted. The story, perhaps, was a simple one, but it comes to us, according to custom, in the form of a legend. A fair damsel was enamoured of Edmund, now a handsome youth, and by her looks betrayed, or did not attempt to conceal, the secret of her attachment. The young lady, seeing the tonsure, thought it advisable to make the proposal herself. Edmund must have had some intercourse with her, but terminated the affair in a manner, which must have offended the gallantry of his fellow-students in France. He made an assignation with the love-sick girl. At the time appointed, she

indeclinable, and fecerint will not scan. The following is Newman's translation:

> To French and English far and near is known,
> At Paris and at Oxford what is done.

CHAP. III.

Edmund Rich. 1234–40.

attended, prepared to hear the tale of love, but was astonished to see Edmund approaching, accompanied by certain grave personages, the heads and professors of the university, whose looks were anything but tender. Under Edmund's direction, they proceeded, in a serious and business-like manner, with great decency and decorum, to remove her upper garments. No iron stays were there, neither was there a chemise of sackcloth; but they laid bare her back, and then proceeded in good earnest to administer the scourge. With such pious energy was the flagellation* conducted, that the penitent maiden afterwards declared, that then and there the offending Eve was whipped out of her.

Of the progress of Edmund's studies at Paris, I have not found any account; but the position, which he assumed in the university, when he returned to Oxford, is sufficient to attest his proficiency. Although Oxford already differed from Paris, and the continental universities, in providing places of residence for its members, independent of the towns' people; although the halls had already developed into inns, which were soon to be developed into colleges, the collegiate system was not yet established. The chancellor of the university granted a licence to teach to persons duly qualified. On the qualifications of a teacher the other licensed teachers decided; this was the origin of an academical degree. It was not at first an honorary distinction; it was a designation to an office. When men were taught, not by the printed page, but by the living voice, the number of teachers was necessarily large, and the public interests required that the duties should only

* Martene, 1783.—"Quibusdam superioribus vestibus ad ejus mandatum spoliatam arripuit, virgis flexibilibus, quas ad hoc aptaverat, in dorso non mediocriter flagellavit, ut sic, cui colligaverat in corde stultitia, disciplinæ ipsam dissolveret dura virga."

be attempted by persons who were proved to be apt to teach. The number of scholars of the higher faculties, who remained in Oxford, between the ages of twenty-five and thirty, was large; and they who took their doctor's degree, and became "Sanctæ Theologiæ professores," continued there until called to some high office in Church and State. They were, in some measure, responsible for the general superintendence, as well as for the instruction, of their pupils.

Edmund, on his return to England, proved himself qualified to take his place among the teachers of humanity; but, before doing so, he had certain domestic affairs to settle. He was summoned from Paris by the alarming illness of his mother; and, on his arrival at Abingdon, he found her on her death-bed. She blessed her son, and expressed the conviction, which was afterwards regarded as a prophecy, that, in blessing Edmund, she conveyed a blessing to the whole family. So great had become the impression of her piety, that people congregated around the house of mourning, anxious to obtain some relic of a person so holy; many of them expecting, that by possessing what had once been possessed by her, they had secured a charm, which would effectually keep off ill fortune. The monks of Abingdon permitted her to be buried in a chapel adjoining the abbey church. She is thus mentioned by Anthony à Wood :—

"A woman, she was esteemed so devoute and saint like, that divers zealous persons thought themselves very happy if they could obtain something that belonged to her, to perpetuate not only her memory with them, but to free them from ill fortune, charms and such like. Her gilt girdle with a blue corse, commonly called the long pendant gyrdell, was religiously kept by certain persons in Oxford for many years: at length, coming into the hands of one Joan Gylle, wife of Edmund Gylle of Oxon, and daughter and heir of Will.

CHAP. III. Edmund Rich. 1234–40.

Dagoyle, of the same place, gent., left it by her will, in 1486, to the image of St. Edmund of Abingdon, probably standing in some church in Oxon, perhaps in that of All Saints, wherein the said Joan was buried."*

To the special care of Edmund, the dying mother had committed her daughters, Margaret and Alice; and he immediately adopted the means of providing for them. They were destined to a convent; but Mabel had so far relaxed from her sternness of principle, as to leave a sum of money to purchase their admittance into a respectable, if not an aristocratic, nunnery. The price of admission into these establishments varied, according to the amount of ease and comfort provided in the house; and, to secure associates of their own rank in life, some parents were accustomed to pay large entrance fees.† It seemed to be an equitable arrangement, and it had not alarmed the conscience, generally so sensitive, of Mabel. Edmund, however, regarded the contract as simoniacal. If not simony, according to the strict letter of the law, he thought that there was a kind of moral simony, by committing which, he feared lest he should lay upon his sisters, not a blessing, but a curse. Hence, for some time, he was unsuccessful in his inquiries after a suitable abbey, the superior of which would set the precedent of receiving as inmates of her establishment, young persons who had nothing but their piety to recommend them. At length, he found a person, like-minded with himself, in the Prioress of Catesby, a Benedictine nunnery, between Banbury and Daventry, not far from the lovely village of Eydon, in the county of Northampton. The house was a poor one; but in the good prioress the sisters of Edmund found a maternal friend. There was, of course, a mystery afterwards attached to this very simple pro-

* Wood, Annals, ii. pt. ii. 737. † Ibid. 737.

ceeding, and it was reported, that when Edmund appeared at the gate of the nunnery, the prioress saluted him by his name; that she knew beforehand what he required; and that she came to meet him, that she might, unasked, grant his request. All this might have happened very naturally; as the prioress, though not living much in the world, must have known, that Edmund was traversing the country, to discover, for his sisters, such a home as she was prepared to offer to the daughters of Mabel.

Edmund was a sincere mourner for his mother, and passed the twelve months after her death in retirement, a welcome inmate of the monastery of Merton in Surrey. His disposition, however, led him to unite the duties of an active, with those of a contemplative life; and, instead of becoming a monk, he returned, as we have already said, to the university of Oxford.

Of the condition of the university at this period we shall have occasion to speak in the following chapter. We have only now to state, that Edmund was one among several illustrious men, who laboured to restore the university to that state of prosperity from which it had lately fallen. It is not necessary to enter into the merits or demerits of the disturbance, which occurred in 1209. King John, then at Woodstock, had sided with the townsfolk, when, on one occasion, they hanged several of the students for the death of a young woman, who was accidentally shot by a student when practising archery. The consequence of this conduct on the part of the king, was, a determination, on the part of three thousand students and masters, to remove from the vicinity of the unprincipled tyrant; and a migration took place, on the part of some to Cambridge, and of others to Reading; a few went to Maidstone.

It was the great object, when Edmund retired to

CHAP. III. Edmund Rich. 1234–40.

Oxford, to assist the friars in restoring Oxford to its high character, as a place of study, not only for law, but also for theology and philosophy. Edmund was one of those who introduced the study of Aristotle, and is said to have had among his pupils the celebrated Grosseteste, and Robert, some say, Roger Bacon.* The university was not at this time supplied with public schools, or with any accommodation for the masters and doctors. There was no prejudice, however, at that time, against the employment of consecrated buildings for purposes not directly connected with public worship. In the church of St. Frideswide, were kept the moneys, treasures, deeds, and account books; and here a master, too poor to rent a room, might occasionally collect a few pupils. But, in general, the masters lectured in rooms hired by themselves, unless they were attached to some of the monastic societies domesticated at Oxford. When Edmund returned to the university, he purchased or hired a hall, in which he continued to give lectures for some years.

A general statement is made, which we can readily believe, of his extreme kindness to his pupils, and of the paternal anxiety with which he watched over them in illness. He continued his ascetic practices and his devotional exercises. Although he was not in holy orders, he attended divine service every day, and exhorted his pupils to do the same. When, from his popularity as a teacher, his time became very valuable,

* Tanner. "Bibliothec. Brit." says of Robert Bacon:—"A scholis, S. Edmundi per plures annos continuavit." Wood mentions the fact with respect to Grosseteste, but, as Mr. Luard observes, without authority. Looking to the history of the two eminent men, we should think it impossible that such was really the case. Roger Bacon must at this time have been quite a child. Robert Bacon, not Roger, is mentioned as the pupil of Edmund in the title of the life in Surius.

he erected a small chapel near his hall, which he dedicated to the Virgin Mary—"a saint," says Wood, "whom he greatly admired." Rather than curtail his devotions, if his pupils consumed his time by day, he would repair to his chapel at night. Nature was sometimes, however, too strong for him, and his pupils smiled to see him sink into his seat, as if asleep, though he replied, when aroused, "Non dormio sed recumbo."

The expression of his countenance was always cheerful, and there was a peculiar grace in his manner. Although he was not addicted to cold water, he was not regardless of his dress. Arrayed in a gown of grey cloth, which reached to his feet, he warned his pupils that, while everything approaching to luxury was to be avoided, neatness was a virtue. His admonitions made the greater impression, from his generosity and regard for the feelings of others. He desired his pupils to make such payments to him as it might be convenient for them, or, if they chose, he permitted them to regard his lectures as gratuitous. To save his poorer pupils from any feelings of humiliation, he never counted the money which was brought to him, but placing it at once in the sill of the window, he would say, with a smile, "Earth to earth, ashes to ashes, dust to dust." That sundry tricks were played upon this somewhat eccentric master was only to be expected. We read, with regret, that his kindness was sometimes imposed upon; and that some, who ought to have paid him, neglected to do so. Nevertheless, he found the means of endowing St. John's Hospital, in the neighbourhood of Oxford; devoting to that purpose some of the lands inherited from his father.

The scrupulous conscience of the tonsured young lecturer began, at length, to reproach him, for devoting his time and attention to secular pursuits and studies.

CHAP. III.

Edmund Rich. 1234–40.

In one of his dreamy moments, he seemed to see his mother standing before him. Pointing, with her usual stern look, to the mathematical diagrams by which he was surrounded, she demanded what those figures were, in the contemplation of which her son was absorbed. She then seemed to take his right hand, and thereon described three circles, on each of which she marked the name of one of the Persons of the Blessed Trinity; and having said, "Henceforth, my son, be these thy diagrams," she vanished. Edmund's theological acquirements were not, at that time, great, if we may judge from his library, which consisted of the Old Testament only, with the Gloss and the Decretals. But he now devoted himself to the clerical profession, and graduated in divinity. He is the first of our archbishops to whose name we find the title of S. T. P. attached—the first Doctor of Divinity.

After his ordination, Dr. Rich, or, as he was probably then called, Dr. Edmund, received many offers of preferment, but declined them all, until Richard Poor solicited him to accept a stall in his new cathedral. Bishop Poor was now engaged in the erection of that beautiful cathedral, which is still preeminent among the many sacred edifices which date from this period. To complete the work, the Bishop had been obliged to appeal to the dean and chapter of Old Sarum. They had met the appeal by a liberal contribution, which would impoverish them for at least seven years. The good bishop was, in consequence, desirous of obtaining the services of men who, by their private fortune, would be able to discharge those duties of hospitality which, at that period, devolved upon all who held office in a cathedral church. Consequently, Edmund Rich was duly installed Treasurer of Salisbury Cathedral.

His hospitality and his alms-deeds soon obtained for

him the friendship of the rich, and the gratitude of the poor. He had observed, that the clergy were often accused, and sometimes with justice, of avarice; and he determined to show, that, so far as he was himself concerned, the charge was without foundation. The tendency of his mind was to extremes. There was an inclination to fanaticism in all that he did; and, instead of being checked, he was encouraged in the fault, since the fault was regarded, in the spirit of the age, as a virtue. He neglected to examine his accounts, and consequently he was cheated. He would not exact his dues, when they were disputed, which gave the litigious an advantage over the more honest tenants. His housekeeping was irregular, as well as profuse; and, before rent-day came, he was frequently reduced to the necessity of asking for the hospitality of others.

He was always a welcome guest at the neighbouring monasteries, and he visited his old friends at Merton. He found a home in the Abbey of Stanley, near Chippenham, where Stephen of Lexington was his friend. Stephen was a good man of business, and remonstrated with Edmund, upon his carelessness in worldly matters, when an attention to secular business became his duty. The remonstrances had effect, for, when Edmund became Primate of all England, he was, by no means, negligent of his temporal affairs. He did, indeed, leave his cathedral in debt, but it was an inherited debt, which he had not time to liquidate. The dean and chapter, however, readily excused his attendance, when progresses were made, or manorial courts were held. They knew him to be well employed as a preacher, and they thought, that when a question of rent arose, his inclination would be, to take part with the tenant, rather than with the chapter; but it is from a mistaken notion of what the duties of the

CHAP. III.

Edmund Rich. 1234–40.

treasurer of a cathedral really are, that, by modern writers, Edmund has been sometimes accused of a neglect of duty. We have every reason to believe, that he discharged the duties of his office, with discretion and zeal. We are not to confound the duties of a treasurer, with those of a bursar, communar, or steward. The treasurer of the cathedral had no more concern with the estates of the establishment, than any other member of the capitular body. I find his duties thus discussed in the statutes of Salisbury cathedral :—

"It is the office of the treasurer to keep the ornaments and treasures of the church, to furnish the lights—viz. on the first Sunday in Advent, four of wax for either vespers, matins and mass—viz. two on the super-altar,* and other two on the step before the altar. The like is observed on Palm Sunday. But, on all other Sundays throughout the year, and whenever the choir is ruled, and the invitatorium said by two, he is to supply only two at the least. On all Sundays, however, at mass, four. On Christmas Day, for either vespers, and for mass, he ought to furnish eight of wax, each of one pound at least, about the altar, and two before the image of the blessed Mary ; for matins, as many, and six besides, prominently, before the relics, the crucifix, and the images there placed ; and in the corona, before the step, five, each of half-a-pound at least. And five over the wall, behind the reading-desk. The like is observed on all the double feasts, which have procession. But from Pentecost, to the Nativity of the Blessed Virgin, and on the feast of the Nativity itself, let seven of wax be placed in the candelabrum of brass. On the other lesser double feasts, four about the altar, and two before the image of the Blessed Virgin, for either vespers and for mass. At matins, three besides, three in the corona, and three behind the pulpit, whenever the invitatorium is said by three. In the Paschal week, and at Pentecost, the same service is required, with respect to the lights, as on the first Sunday in Advent. In *cœna Domini* as on Lord's days for mass. On

* "Ciborium quod altari imminet."—*Du Cange*, sub voc.

the day of the Preparation, there ought to be two of wax. At every festival throughout the year, one only at matins, viz. for the step of the choir : for mass, however, two of wax. On Easter and Whitsun eve, at mass, the same as on the larger double feasts.

"Moreover, on the day of the Preparation, after the placing the Lord's body in the sepulchre, two of wax, of half-a-pound at the least, from the treasury, shall burn all day before the sepulchre. On the night following, and thenceforward, until the procession, which takes place on the Paschal day, before matins, one of these only.

"A large paschal one, also of wax, besides one mortar, the treasury is bound to furnish on the several nights, throughout the year, before the altar of St. Martin, and another before the entrances of the west door of the choir, whilst the service of matins is being performed.

"The treasurer is bound to maintain the sacrists also at his own expense, to keep the bells of the church properly hung, in a proper condition, and to provide what is necessary for their use. To repair the ornaments of the church at his own expense also. To supply bread, wine, water, and candles, for the several altars of the church, that belonging to the parish excepted. To supply incense, fuel, straw, rushes, and mats, throughout the year ; rushes, viz. on these feasts : on our Lord's Ascension, and Pentecost, on the feast of St. John the Baptist, on the Assumption and Nativity of the Blessed Mary ; and straw on these feasts, on the feast of All Saints, on Christmas day, on the Purification of the Blessed Mary, and at Easter ; and mats on the feast of All Saints." *

The date of Edmund's appointment to the office of treasurer is uncertain. It must have been between the years 1219—when, from the Sarum Register, we find, that the office was held by Abraham, whose surname, if he had one, is not given—and 1222, when the name of Edmund first appears in that document. If we take 1222 as the date of his appointment, he remained a Prebendary of Salisbury eleven years ;

* Saint Osmund's Reg. pp. 3, 4, 5.

CHAP. III.

Edmund Rich. 1234–40.

during which time, he devoted his mind to theology, and was an earnest student of Holy Scripture. Whenever he opened his eyes, at night, he called upon his servant to strike a light, and repaired to his reading-desk. The desk was ornamented by an ivory carving of the Virgin Mary, who was represented as seated on a throne, and surrounded with the mysteries of redemption. When he opened the sacred page, he kissed it reverentially, before proceeding upon his studies. He was diligent, earnest, and popular, as a preacher.

In the year 1227, the sixth crusade was preached in England; and if Wendover, who gives his authority, is correct, with such success, that from this kingdom went forth an army of 40,000 trained soldiers, besides women and old men.* Undoubtedly, two bishops, the Bishop of Exeter, and the well-known Peter des Roches, Bishop of Winchester, were among the Crusaders. The zeal of Edmund did not impel him to enlist as a soldier of the Cross, but he volunteered to preach in the cause. He did so at his own expense, refusing to accept the procurations to which he was, by law, entitled. Berks, Oxford, Gloucester, and Worcester, are mentioned as the scenes of his labour; and there, he invited men to follow the example of the Bishops of Winchester and Exeter, by taking the Cross; or to do, as he himself had done, by contributing largely to the undertaking.

Miracles were expected, and the demand was, as usual, met. When men are looking out for miracles, they easily persuade themselves that every successful preacher is a thaumaturgus. Edmund was said to be

* "Adeo fuit numerosa, ut ex solo Anglorum regno plusquam quadraginta millia proborum hominum, præter senes et mulieres, profecti referantur. Hoc enim confessus est magister Hubertus, unus ex prædicatoribus in Anglia, asserens veraciter tot in suo rotulo conscripsisse."—*Wendover*, iv. 144.

endowed with miraculous powers. It twice happened, that a fair maiden, when her lover was excited to enlist, by the eloquence of Edmund, put forth her hand to prevent him from making the vow; and, on both occasions, the hand withered. On both occasions, also, the withered hand was restored, when the lady herself assumed the Cross, and vowed to follow her lover to Palestine. It twice occurred, that, when Edmund was preaching, the clouds gathered thickly around him, and the rain came down in torrents, except on the area occupied by the congregation, which, with dry clothes, imbibed the truth, as in a gentle stream it flowed from Edmund's lips.

Upon another occasion, we find Edmund having recourse to one of the superstitions of the day, which would surprise us the more, if we were not accustomed to hear grave men, in the nineteenth century, defending the cause of the wonder-working Bambino, at Rome, and the miracle of St. Januarius, at Naples. Ella, Countess of Salisbury, was dangerously ill with a fever. Edmund was, at that time, on a visit to his friend, Stephen of Lexington, at Stanley, which was in the neighbourhood of Laycock, where the countess was, at that time, residing. After praying with her, and administering spiritual consolation, he promised to send her a physician, by whom she should be certainly restored to health. Soon after, there arrived at Laycock a phial, containing a portion of the blood of St. Thomas the Martyr. The countess grasped the precious treasure in her hand; and her immediate recovery has perplexed the hagiographers. They know not which most to admire—the virtue of the relic, or the prognosticating power of Edmund, who saw the nature of the complaint, and at once prescribed the remedy.

The Countess of Salisbury was a person to be respected

CHAP. III.

Edmund Rich. 1234–40.

and esteemed. She was beholden to Edmund, and bound to him by the ties of a sacred friendship. She was now a widow. Her husband had been William, Earl of Salisbury, half-brother of King John. In the disturbances of the preceding reign, Earl William bore his share; and was as irreligious as the king himself. When Henry came to the throne, the Earl of Salisbury had been sent into Gascony; and, as he was returning home, he was overtaken by a storm in the Bay of Biscay. He, who had hitherto feared neither God nor man, was now so alarmed that, when, on his return home, his wife entreated him to attend the preaching of Edmund, he gave his consent. After converse with Edmund, he told his wife, that he did verily believe him to be a man of God; and, yielding to his admonitions, the Earl of Salisbury became a converted man. He was attended, at his last moments, by the good Bishop of Salisbury: and, it may be remarked, as showing the spirit of the age, that it was for having acted as a traitor to his God, that his conscience reproached him. The greatest of sins, was treason to the King of kings.

To the Countess Ella Edmund became, ever afterwards, the spiritual adviser and friend. Acting under his advice, she established two monasteries; one at Hinton, a Carthusian priory; the other, intended for nuns, at Laycock, of which she constituted herself the prioress. Laycock being near to Calne, Edmund was frequently her guest.

Edmund was residing on his benefice at Calne,* in the neighbourhood of Stanley, when he received information, in the year 1233, of his elevation to the see of Canterbury. He could not have been taken entirely by surprise. He was not a monk; he was living in

* Calne was and is the prebend attached to the treasurership of Salisbury.

the world, and must have been acquainted with the difficulties which, since the death of Richard, had arisen, to prevent the immediate appointment of his successor to the see of Canterbury.

Under the auspices of Gregory IX., and by the labour of Raymond of Pennafort, a Dominican, eminent as a jurist in the university of Bologna, the Papal Decretals had been reduced to a code.*

The code was published, in the year 1230, under the title of "Libri quinque Decretalium Gregorii Noni." It included the forgeries of Isidore, and something approaching to the character of forgeries, on the part of the compiler himself. Under the pretence of abbreviating former decretals, he gave them an interpretation, it was said, unfavourable to the liberties of the Church. In the ignorance, or superstition of the age, this code was received as the statute law of the Western Church. It had the same effect upon the legislation of national churches, as the law of nations, at the present time, has upon the legislative enactments of the independent kingdoms of Europe. It was believed, by some, to have been written by inspiration. A new system was now tacitly introduced, with reference to the appointment of bishops. On the vacancy of a see, the Crown was to issue a *congé d'élire*, as heretofore, and also, as heretofore, the chapter were to proceed to an election. The elect was not to be inaugurated without the consent of the king; or the consecration to take place without the permission of the pope.

We have had, frequently, to advert to the controversies, which arose from the various interests of opposing parties, whenever an episcopal see was vacant. This measure was a compromise, and was very generally acceptable. As both the king and the pope had a veto,

* Butler, "Horæ Juridicæ Subsecivæ," 172. Schroech, xxvii. 64.

CHAP. III.

Edmund Rich. 1234–40.

to them virtually belonged the appointment. The party whose real interest was sacrificed, though considered in the letter, was that of the cathedral chapters. To this regulation of the thirteenth century, we trace that order of things, of which complaint is sometimes made at the present time; when, though the *congé d'élire* is granted, the chapter is compelled to elect the nominee of the Crown. This was the case before the Reformation. The chapter had no more liberty then than they have now. But, after the Reformation, the pope being set aside, the nomination has become arbitrary in the Crown. Before the Reformation, when the king was a man of firmness, and his government strong, the appointment rested really with him. But, in the reign of Henry III., when the king thought only of filling his purse, or thwarting his barons, he, in wilfulness or in carelessness, permitted the pope to force non-resident foreigners into the English sees. These proceedings tended, more than any other, to unite the English people, and to induce the clergy, as well as the laity, to offer resistance to the pope; until, at the Reformation, they utterly renounced his authority, and not only protested against his usurpations, but completely established the independence of our Church.

The death of Archbishop Richard occurred soon after the promulgation of the code; and, as is usual on such occasions, all parties were desirous of commending the new system to the judgment of the Church, by insisting on the appointment, as his successor, of some one whose appointment would give general satisfaction.

The chapter, warned by past experience, no longer endeavoured to force a mere monk upon the king; and the king was desirous of depriving Ralph Neville of the chancellorship, since the policy of the patriotic minister was not in accordance with that, to which his

pusillanimous master was inclined. Henry saw no better method of effecting his object, than by forcing Ralph into the see of Canterbury. His translation would have justified him in demanding his resignation. Ralph Neville was Bishop of Chichester, and held, at this time, the office of High Chancellor.* We have seen, in the life of Richard Grant, that Pope Gregory IX. affected not to have heard of him; nevertheless, Ralph Neville was already a man of consequence, and held office in the reign of King John, though there is some difficulty in ascertaining what the office precisely was. His name occurs in the public documents of the early years of the reign of Henry III.; but there is the same difficulty in discovering his actual position in the Government, until his appointment as chancellor, in 1227, an appointment which he received for life.† As a politician, he was a patriot, and had incurred the royal displeasure, by the resistance he offered to the attacks, made, from time to time, upon the liberty of the subject, in violation of Magna Charta, to which the king was instigated by his foreign favourites, or dependents.

He had been consecrated Bishop of Chichester, in 1224, and a munificent prelate he was; to whose benefactions it becomes the present writer to state, that

* Wendover, iv. 227, 228.

† See Foss, ii. 425. Lord Campbell accuses him of the sin of ambition, a sin of which, Lord Campbell, judging from his frequent allusion to it, had a horror. It was not likely that a man would raise himself from a humble sphere of life, to be High Chancellor of England, without some little ambition in his nature, whether ambition be counted a sin or not. Foss, who is on these matters an authority, says of him, that the highest character is given of him by contemporary historians, not only for fidelity to his sovereign in times of severe trial but for the able and unimpeachable administration of his office.—Rot. Claus., 10 Henry III. ii. 113; and Rot. Chart., 11 Henry III. m. 28.

CHAP. III.

Edmund Rich. 1234–40.

the dean and chapter of Chichester, as an ecclesiastical corporation, is to this day indebted. He obtained for the whole clergy of the realm, the tithe of hay and mills on the Royal demesnes, which had been hitherto exempt from the payment.* Under his auspices, according to Dallaway,† was designed and commenced the spire of our Cathedral, admired for the elegance of its form, and its fair proportions, by successive generations; over the ruins of which the present generation has wept, but not with idle tears, as the rising structure declares. He gave twelve quarters of wheat, annually, to be distributed among the poor, which has lately been commuted for money, under the name of "Bread Money," and is still distributed.‡ "Chichester Rents," the name of a certain locality in London, a property which he purchased and bequeathed to his successors, attests his munificence to the see.§ The king, in his eagerness to get rid of his chancellor, put the elect in possession of the temporalities of Canterbury. Ralph Neville, as we have seen in the life of Richard Grant, had, on a former occasion, been ambitious of the primacy; but, preferring the temporal office to the spiritual, and knowing that if he accepted the archbishopric, the king would compel him to resign the chancellorship,

* In the fifteenth granted by the clergy to the King, 10 Henry III. m. 14 in dorso. "Vice Comiti Sussex, cessimus ut decimæs fœni et molendinorum in singulis dominicis nostris . . præstentur." This patent rendered them liable to tithes in future. Hitherto they had been exempt.

† Dallaway, i. 45.

‡ Bowcher's account of the bishops of Chichester in the "Chapter Books." Godwin, ii. 84. Ang. Sac. i. 488.

§ He erected a house in London, "in vico novo ante Novum Templum," now called, after Chancellor Neville, Chancery Lane. This afterwards became the Hospitium, or Inn, of the Earl of Lincoln: being transferred to the students of law, it is still designated, from its last proprietor, Lincoln's Inn.—Foss, ii. 427.

Ralph Neville declined, at the present time, to take any measures to procure, at Rome, the confirmation of his appointment. The chapter called upon him to defray the expenses they would incur, by sending a deputation to Rome; but the chancellor plainly told them, that he would not contribute the fraction of a coin. He said, indeed, that to do so would be simony; and this may have had an influence upon his decision.

The reader will remember, what has been stated, in the introductory chapter, with reference to the political character, and the national and anti-papal tendencies of the leading churchmen in England. It was on this account that the pope, though himself a sovereign, and though his counsellors, according to St. Bernard, were absorbed in law and politics, endeavoured to compel the English prelates to retire from civil affairs, and return to the discharge of their spiritual functions in their respective dioceses. The papal authorities did not, in reality, care for the dioceses. For, whenever they could, they conferred the emoluments of a vacant see upon some needy non-resident Italian. But the leading clergy of England were anti-papal; and hence, it was desirable to deprive them, if possible, of political power.

This accounts for the determination, at Rome, not to confirm the election of Ralph. The pope would exercise his newly-acquired power, by putting his veto upon the appointment. It was known that Ralph was one of those patriots who would restrict the royal prerogative, and oppose papal aggressions; that he had given in his adhesion to the party which was determined to maintain the Magna Charta. The pretext—the most inconsistent and absurd to be adopted at Rome—for refusing to confirm the election of Neville, was, that he had been all his life engaged in secular business, and in political pursuits.

CHAP. III. Edmund Rich. 1234–40.

The chapter proceeded to a new election. They thought that, if a politician was to be rejected, they might be sure, that the pope would support them now, in acting on their own inclinations, as opposed by the king and suffragans of Canterbury; and they elected John, their prior. He was an aged man, but he set out immediately for Rome, and he arrived there in Whitsun week, 1232. But it was manifest that he was not fit, a worn-out old man, to undertake the duties of an office, which, in the troubled state of public affairs, would require the energies of some one in the prime of life. Nothing could be substantiated against his morals, but the usual nominal examination was, in his case, to be made a real one; and, being examined, he was pronounced to be deficient in learning. The poor old man was, after this, easily persuaded to withdraw his claim.

Once more, the chapter of Canterbury proceeded to an election. They sought again to please the king, and they selected a man to whom neither pope nor cardinal would venture to give more than a nominal examination. John Blundus, or Blunt, was a scholar of high reputation. Like Edmund, he had passed from the schools at Oxford to the university of Paris, and returned, a Master of Arts, to the university of Oxford. There he shared, with Edmund, the honour of introducing the study of Aristotle. He had, for his patron, Peter des Roches, Bishop of Winchester, a foreigner dear to the king, and hated by the patriots. Peter des Roches had not that dread of simony which had been felt, or simulated, by Ralph de Neville. He lent Blundus two thousand marks, and sent him, with his blessing, to Rome.*

Peter des Roches, Bishop of Winchester, was a native of Poictou, and had been, in early life, a gallant knight. By that very court of Rome, which had rejected the

* Wendover, iv. 248, 267.

Bishop of Chichester, for his being involved in secular business, the Bishop of Winchester had been appointed generalissimo of the papal troops. Peter des Roches had little doubt that, with a discreet use of his lucre, his nominee would succeed in having his election confirmed, especially as he would be supported by the university of Oxford. The university, desirous of seeing one of its most distinguished scholars on the archiepiscopal throne of Canterbury, volunteered an assertion, that the appointment would be popular. An Oxford poet, with this object in view, addressed the following lines to the pope :—

"De quo si dubitas an perpetraverit illum
Oxoniæ crimen ut pars adversa notavit,
Quis nisi Conventus, nisi Cives, et nisi Clerum
Totius Oxoniæ, potuit producere testes ?
Nec modo Conventus, Cives, Clerusque, sed ipsi
Abbates ; ipse et Præfectus, et ipse Decanus
Attestantur ei, quia vitam duxit honestam."

And a little after, says thus of him again :—

"Quod Rex, quod Proceres, quod Cancellarius, et quod
Totius Oxoniæ testatur clerus, et omnes
Regni Pontifices, quod et ipsum Vulgus et omnis
Natio Parysiis in qualibet arte studentum
Judicione tuo reprehensor inaniet unus ?" *

But, however willing the Roman authorities might be to oblige the Bishop of Winchester, the late disturbances in the country had taught the pope and his advisers, that some caution was necessary, in dealing with England.

It was well known, that Peter des Roches was one of the most unpopular men in England. Among the foreigners, who swayed the weak mind of the king, he took the lead. He was one of the politicians most

* Mich. Cornubiensis Poemat. MS.

CHAP. III.

Edmund Rich. 1234–40.

opposed to the provisions of the Great Charter, and he was ever ready to sanction, or suggest, the despotic measures, to which the king was inclined, whenever he had occasion, as was frequently the case, to replenish his purse. He is thus described by a contemporary satirist :—

"Wintoniensis armiger
Præsidet ad Scaccarium,
Ad computandum impiger
Piger ad Evangelium
Regis revolvens rotulum
Si Lucam lucrum superat
Marco marcam præponderat
Et libræ librum subjicit."

"The Winchester Bishop-Knight
At th' Exchequer sits paramount—
Slow to read Gospel aright,
Though nimble the money to count;
The King's Rolls handling all day,
He looks more to lucre than Luke;
Marcs, too, Saint Mark far outweigh;
He ponders on pounds, not his book."*

The impolicy of appointing the nominee of so unpopular a character, although Peter des Roches was devoted to the interests of Rome, was at once apparent. Whenever it suited the authorities at Rome, high ground was taken. Neville was too secular. Blunt was a pluralist. Pluralities were condemned by the canons; and, although the house was of brittle materials, in which every member of the papal council dwelt, his violation of the canons was the plea urged, for not confirming the election of Blunt.†

The precedent of Innocent III., in the appointment of Stephen Langton, was not lost upon Gregory IX. He attempted to compel those monks of Canterbury, who had attended Blunt to Rome, to form themselves into a chapter, and then and there to proceed to a new election. He urged this measure, on the ground that no

* Political Songs, p. 10.

† It is said of John Mansel, a special favourite of the king and of more than one pope, that he held no fewer than seven hundred benefices, producing, according to Chron. Mailr. 12,000*l.* a year. He was a good man of business, much employed, by the Court, in diplomacy, and other affairs of State.

further time ought to be lost in filling an important see, which had been vacant so long. The monks, however, were at this time resolute in their determination not to proceed to an act of election, without a *congé d'élire* from the king. The discipline to which their body had been subjected under John, at the election of Stephen Langton, was as forcibly impressed on their memories, as his unlawful election was upon that of the pope. The pope was, himself, aware of the inexpediency of setting at defiance a law which had just been made. What he had already done would have been resented by a monarch more strong-minded than Henry.

It was arranged, however, between all parties, that the monks should, on their return to England, elect Edmund of Abingdon, and it was ascertained that the king would ratify the election. In order, therefore, to prevent any further delay, and in anticipation of the appointment, the pall was sent to England, to be presented to the new primate, by Roger, Bishop of London.*

Gregory IX. evinced his usual sagacity in proposing, as a compromise, the appointment of Edmund. The treasurer of Salisbury had, as yet, taken no prominent part in politics. In preaching the crusade, he had done service to the pope; and yet he was a thorough Englishman, without any foreign predilections. The seculars rejoiced in the appointment of a secular priest; and no secular priest could be more acceptable to the regulars, than one, who, though not bound by a vow, was eminent in those virtues, which the monks especially cultivated. The Oxonians were pacified, when one of their body was

* "Cui etiam pallium transmisit, ne tanta sedis metropolitana a pastore diutius frustraretur. Monachi vero nec ipsum nec alium quemlibet, nisi de consensu conventus sui, recipere decreverunt."—*Wendover*, iv. 267.

CHAP. III.

Edmund Rich. 1234–40.

selected, equal to Blunt in learning, and far his superior, in practical wisdom. The king and the pope, both of them, though deficient in religious principle, yet abounding in religious sentiment, felt pleasure in regarding themselves as the patrons of one, who, while he was not, as they thought, likely to stand opposed to them in their political schemes, was regarded by the people as a miracle of virtue, a preacher sent from God.

Edmund, as we have remarked, was at Calne, most probably performing his duty as rector, when shouts were heard from without, the purport of which he must have surmised. However humble a man may be, and however little he may care for the neglect of his superiors, when he is conscious of deserving well at the hands of his fellow-creatures, he is not taken absolutely unawares when some token of their good-will is announced. The members of Edmund's household at Calne welcomed with cheers the monks of Canterbury; and the monks of Canterbury re-echoed the shouts of Calne. But Edmund remained in his closet. His privacy was intruded upon by one of his household, who rushed in to announce, in a state of great excitement, the good news, that the Treasurer of Salisbury was the Archbishop of Canterbury. Edmund commanded silence, and requested his servant to withdraw. He was perplexed as to the course to be pursued. Calne, it will be remembered, was the place where the famous synod was held under Archbishop Dunstan, in 977, to adjust the differences which had arisen between the regulars and seculars, when that council was brought to an unhappy conclusion by the falling in of the floor. At such a place, the thought would naturally cross the mind of Edmund, that to leave the peaceful, happy retirement, where he divided his time between study, devotion, and the enjoyment of the society,

which was congenial with his intellectual and moral requirements, for the duties of a station, which would involve him in disputes, and controversies, and in all the intricacies of political and secular life—was a sacrifice, which he was not called upon to make; unless it were impossible to find some other person, equally prepared as himself, to serve his country, his Church, and his God, with a true, devoted, and loyal heart.

He passed his time in meditation, and prayer, and was not seen till the usual hour of his appearing in the hall. He there stood, surrounded by his friends, and received the deputation. Sufficiently mortified by their reception, they produced the documents, which certified his election. He was moved to tears, for he was not insensible of the honour which was done to him, and he was thoroughly unnerved. He told them, that they had formed too high an estimate of his acquirements, and of his character; and he entreated them, to transfer their choice to a person better qualified for the office.

The deputation represented the difficulties which would ensue, if Edmund persevered in his refusal; and, yielding to their entreaties, he agreed, before giving a final answer, to proceed with them to Salisbury, there to take counsel with the bishop. At Salisbury, he found his brother canons and prebendaries in a state of great excitement. They were delighted at the honour which was reflected upon them, by the selection of one of their body, and they hailed him as their future metropolitan. "You are welcome visitors," said the dean to the representatives of the Chapter of Canterbury, "and yet you are unwelcome; welcome you are, for the honour which you confer upon our church; and yet you are unwelcome, because, in robbing us of our treasurer, you rob us of our chief treasure." The bishop

CHAP. III.

Edmund Rich. 1234-40.

was as urgent as the other friends of Edmund, that he should accept the office.

Under all the circumstances of the case, Edmund can be hardly said to have had a choice; yet a mind, less sagacious than his, might easily foresee what an archbishop would have to endure, who should, in those days, dare to do his duty. He returned to Calne, to compose his mind, and to prepare it for his final decision. When the deputation returned to him, he solemnly called God to witness, that he was induced to assent to the election, only from a sense of duty; thereby leaving them to draw the conclusion, that if he failed in giving them the satisfaction they anticipated, the blame would not rest with him.

Having thus unwillingly given his consent, he permitted himself to be carried into the church. There, while they chanted the *Te Deum*, Edmund prostrated himself before the altar, and prayed for strength and grace to surmount the difficulties, which awaited him.

The difficulties which presented themselves to a conscientious man, now forced to take a leading part in politics, were as perplexing as they were great. Although the parties, into which the country was dividing itself, were not clearly developed, or defined, till a later period of Henry's reign, yet it is necessary that the reader should understand the state of public feeling, in order that he may comprehend the treatment which Edmund received from the courts of Henry and of the pope. Although no party acts, or can act, with perfect consistency on its avowed principles; although, therefore, in speaking of party combinations, and proceedings, we cannot expect the opinions and judgments of every one to concur; yet, I think, those who have had occasion to investigate original sources of informa-

tion, will admit the accuracy of the following brief statement :—

I. There was, first, the great national party—a party, in Edmund's time, without a leader, only in process of formation, not aware of its strength. The Norman and Angevin princes continued foreigners longer than the barons; and, though taking their highest title from England, they regarded England chiefly as a province, from which to obtain the means by which to establish more firmly their foreign relations. In England, they were tyrants, and the tyranny became, at last, intolerable, even to the barons, by whose swords their dynasty was established. The country, under John, had been nearly disconnected from the Continent; and his tyranny was so disgraceful, and oppressive, that, rather than submit to the existing state of things, the barons were prepared to make England, either a province of France, or a fief of Rome. From this false step they were ultimately saved by a recurrence to the state of things which existed before the Conquest, which, through their Saxon mothers, the barons had learned to respect. Instead of looking for a change of dynasty, the Englishman was determined to re-establish the old constitution of the country—that unwritten common law, which was meant, whenever mention was made of the laws of good King Edward. Magna Charta was the bond of union; and, as such—as the point of junction between all the races which had formerly divided the land—was more important, than it was even for its direct enactments. The independence of England was now the grand object of the national party; and, as the first step, the exclusion of foreigners from all offices, civil and ecclesiastical. It did not matter what were a man's antecedents. The question was not, whether

CHAP. III.

Edmund Rich. 1234–40.

his father was a Norman, a Saxon, or a Dane; or whether he was himself born in England, or in a land unknown. The question was one of party rather than of race; whether, if a man possessed property, and was naturalized in England, he would assert the independence of the country of his birth, or his adoption; and maintain the Great Charter, and the other charters, which formed an appendix to that basis of English liberty. Simon de Montford, though of English descent, on the mother's side, was not an Englishman by birth; but he was an Englishman at heart. To become such, he renounced his allegiance to the King of France, and all his rights of property in foreign parts, and became the founder, we may say, of the House of Commons. In these days, a citizen of New York, though the son of English parents, would be regarded as a foreigner; while a Canadian, though bearing a French name, would be admitted to any office under our Government; because, the one is, and the other is not, devoted to English interests and the British constitution. This, though remotely, will enable us to understand the object and position of the national party, in the reign of Henry III. The maintenance of personal liberty, the right of self-taxation, and of self-government—these great principles were not overlooked; but even they were passed over, as if of secondary importance, to the one great object, of making England an independent nation. For this end, the king was compelled, if necessary by force of arms, to dismiss his foreign counsellors, and the pope to forego the iniquitous system of provisions lately introduced.

II. The next party was that of the Court. Henry III., though an Englishman by birth, and boasting of the honour, when it served his purpose; was surrounded

by foreigners, introduced into his family by his wife and his mother, or recommended to his patronage by the pope. Trained under Stephen Langton, Pembroke, and Hubert de Burgh, he imbibed some portion of the newly-awakened national spirit, and had a peculiar devotion for Edward the Confessor, whose great monument—Westminster Abbey—he restored, or, rather, rebuilt. He gave Edward's name to his eldest son. But patriotism, like religion, was, in Henry, merely a sentiment. He was patriotic and pious, when Church and State replenished his exhausted treasury; but his expensive tastes, and his reckless generosity, made him always a needy man. When his object was to fill his coffers at the expense of his subjects, he was not restrained, by his patriotism, or by his religion, from acts of tyranny and oppression, or from a cowardly meanness, which condescended, sometimes, to lying and perjury. He became more and more alienated from the national party, though occasionally his better nature prevailed. His chosen companions were the Poictevins, Gascons, Provençals, Italians, and Savoyards. Their refined tastes harmonized with his own. By them he was flattered and caressed; by them he was urged to spend on his pleasures—the elegances as well as the extravagances of a court—the wealth, which the *nation* voted for *national* purposes. They taught him to distrust his people, and they appeared, themselves, to be the ready instruments of his tyranny. The king, prodigal, faithless, and pusillanimous, was induced to regard resistance as rebellion; and having, by his injustice, robbery, and wrong, provoked resistance, he sought to protect himself from the vengeance of his insulted native subjects, by placing the strongholds of England, and the chief posts of the Government, in the hands of foreigners. An end was

CHAP. III.

Edmund Rich. 1234–40.

answered, which was neither expected, nor designed. The tyranny of the Court became another bond of union to the people, and all tended to the union of the races—the formation of the Englishman.

III. Among the measures to which the court party resorted, to strengthen the king's hands against his people, one was, an alliance with the Papal Court. The proceedings of a man, influenced, not by principle, but by mere feeling, are always inconsistent, and uncertain. We shall find Henry, occasionally, taking part against the Court of Rome, and then, unexpectedly, resuming an alliance with it. But, throughout his reign, Henry's general course of action was, to offer support to the papal authorities, if the pope would render assistance to him—the one object of both parties being, to abstract money from English purses. Until the time of Innocent III., the policy of Rome had been, to obtain power first, money afterwards. Soon after his time, we find money to be the first consideration at Rome, while power was sought chiefly, as the means of replenishing a treasury, which, notwithstanding its many resources, was never full. The Churches of Europe submitted, with more or less of patience, when subsidies were demanded, for the general welfare of Christendom; of which the Roman pontiff was the reputed head. But, in the thirteenth century, the grand Hildebrandian scheme had been gradually abandoned. Hildebrand had conceived the idea of a great European, or universal empire, with Rome for its centre. But now, the popes were chiefly occupied in making Rome a great European power—the first, the most influential, but still one of the kingdoms of Europe. There was a nationality among the Romans, though antagonistic to English nationality. The English kings, as we have mentioned in the introductory chapter, made use of the

endowments of the Church, to provide salaries for statesmen, diplomatists, and lawyers, or to provide them with a retiring pension. When the persons so employed were Englishmen, they admitted the claim made upon them, for local purposes, and felt a peculiar attachment to the town or village from which they derived their surname. When they retired from public life, they returned to their respective dioceses, and, by their munificence, very frequently became public benefactors. As soon as the Roman pontiff regarded the kingdom of England as a fief of his empire, he thought to act on the same principle. He desired to find, for his statesmen, an ample income out of the preferments in his English province. This he attempted by his provisions. He sought, through these iniquitous and unconstitutional means, to pension non-resident foreigners, who, when they retired, did not, as a general rule, return to their English benefices; or who, if they resided for a time in England, only did so, to further some anti-English scheme of policy, or to give support to the agents employed by the Papal Government, to extort subsidies from the clergy of England, and contributions from the monks. The indignation of every true-hearted Englishman was aroused. The Norman had rewarded his followers, by giving them the broad-acres of England. Of these acres, the barons had given back a portion to the Church, or had abstained from touching what had been granted before; and now, the pope attempted to convert these estates into sources of revenue for non-resident Italians. The English and the Roman Courts were thus both obnoxious, for the same reason—both tried to compel England to submit to be governed by foreigners. The foreigners invaded both Church and State—the national castles, and the national cathedrals. Again,

CHAP. III.

Edmund Rich. 1234–40.

we see a beneficial, though not an intended, result. These proceedings tended to unite the clergy with the laity. Clergy and laity had a common object of hatred—the foreigner. A common bond of love was growing up—love to their country. Patriotism had already become a bond of union.

The papal party was not, however, without supporters. The monks, though unwilling to part with their money, depended upon Rome for their exclusive privileges, and could not offer a firm, or consistent, resistance, to the papal authorities. The friars were violent on the papal side. The papal proctors purchased the royal support, and used, indiscriminately, the name of king, or pope, when they sought to justify their proceedings. If the royal support were, at any time, withdrawn, it was to enable the king to make a fresh agreement with the pope.

With this dispute, religion had nothing to do. All Europe was one, both in religion, and in superstition —in the assertion of truth, or in acceptance of error. The question was, whether king, or pope, exceeded the powers, which were invested in them for the public good. If the king was guilty, he was resisted as a tyrant; if the pope, he was denounced as an anti-christ. To Henry, and his contemporary popes, the national party stood opposed.

To the national party, Edmund attached himself. He was not a party man, however: the party, in his time, was not sufficiently organised for mere party action. But his righteous soul abhorred injustice; and, in his righteousness, he was a brave man, prepared to resist the wrongdoer, whether king, or pope. He was not a man of action: he could not, like Stephen Langton, come and head a party; but he could resist, and suffer. Even before his consecration,

Edmund gave proof that, however unwilling he might be, to leave the humble walks of life, and to embark on the sea of politics, he did not intend, now that he was called to take his place among the magnates of the nation, to permit himself to be a mere cipher in the State.

The country was in a state of great excitement. Acting under the advice of Peter des Roches, Bishop of Winchester—who had now regained his influence over the royal mind—the king had dismissed from office his English counsellors, had invited 2,000 foreign mercenaries to England, and had committed to their custody, all the royal castles.

There was, in fact, a foreign invasion, headed by a traitor king. No time was to be lost. The Archbishop, though only elect, of Canterbury, did not hesitate to convene a council, which assembled at Westminster, in the early part of 1234. He placed himself at the head of his suffragans. It was determined to present a strong remonstrance to the king. The address was couched in language respectful, but sufficiently strong to show, that it was used by men who knew their power, and were determined to exert it. The king might defy his barons, with his mercenaries; he might disregard the threatenings of his clergy, when he could obtain absolution from the pope; but when he knew that the excommunication of the Church would be supported by the swords of the barons, he succumbed before the powers thus allied. The address commenced: "Lord King, we tell you, in the name of God, that the counsel you receive, and act upon—that, namely, of Peter, Bishop of Winchester, and of Peter de Rivaulx*—is not only

* Peter de Rivaulx, or Peter de Rivallis, was the reputed nephew of Peter des Roches, Bishop of Winchester. Roger de Wendover

CHAP. III. Edmund Rich. 1234-40.

not wise or safe, but is ungenerous as regards the realm of England, and dangerous to yourself. These men hate and despise the English nation, and when the English assert their rights, they call them traitors. They estrange you from your people, and alienate the affections of the people from their king." After alluding to the treatment of the marshal, the address proceeds to attribute, to the evil counsels of these men, the measures of the late reign. The prelates speak with indignation of the fact, that, through the counsels of these foreigners, England, this *princeps provinciarum*, had been disgraced, and made tributary to the Roman pontiff. It was the policy of these aliens, to create misunderstandings, and so to embroil the country, in order that, in the confusion, they might fill their own pockets. By placing in their hands the strong-

does not hesitate to call him his son—"quod nulli credebat nisi episcopo memorato et filio ejus Petro de Rivallis." He was, by birth, a Poictevin. At an early period of life, and before he was of the canonical age, he was presented, by King John, to all the churches which Gillbert de Besebey, deceased, held in Lincolnshire, of his donation. This was done through the interest of Peter des Roches, at that time precentor of the Church of Lincoln. When Peter des Roches was the favourite, or, as we should now say, Prime Minister, of Henry III., Peter de Rivaulx was appointed treasurer, in the room of Ranulph Brito, the friend of the former minister, Hubert de Burgh. Peter de Rivaulx was so high in favour with the king, that he was now appointed custos of the forests and most of the castles in England. His conduct, in these and other offices of responsibility and emolument, was such as to excite the indignation of the people. His removal was a consequence of the remonstrance of the archbishop and his suffragans, as recorded in the text. When Peter was exposed to the vengeance of the patriotic party, Edmuud extended to him his protection. In 1236, the king recalled him to the court, where he continued in favour till the time of his death, probably in 1258. He was one of the barons of the Exchequer, in 1250.—Rot. Pat. 43. Wendover, iv. 264—314. Rot. Claus. i. 383, 391, 410. Madox, Exchequer, ii. 34. Foss, ii. 454.

holds of the country, the king implied, that he had no confidence in his native subjects; and, therefore, bound by their allegiance to the king, the prelates and barons assembled, were compelled to warn him, that the consequences would be disastrous, if the king persevered in his present course. The foreigners were accused of peculation; and, in fact, of having the king, his family, and court, entirely under their control and power. The king's seal was not considered as constituting a valid document, unless it was attested by the seal of Peter de Rivaulx; so that all the authority of the realm was, virtually, placed in his hands. The address appealed to the religious, or superstitious, feelings of the weak-minded king. His councillors had sworn, under pain of excommunication, to administer justice, according to the laws of the land. This they failed to do. The prelates were, in consequence, prepared to excommunicate them, and it was greatly to be feared, that, in the excommunication, the king himself might be involved.

The king is admonished to dismiss his foreign ministers, and, as is the case in other realms, for the government of his kingdom, to call native subjects to his council. It concludes: "If, within a very short time, you do not redress these grievances, we solemnly warn you, that against you, as against all who shall run counter to what has now been said, we shall put in force the censures of the Church—a measure which is only delayed until the consecration of our venerable father, the elect of Canterbury."*

Edmund thus committed himself to the English, national, patriotic party. It was by hard words, and sometimes by hard blows, that the opposition effected a change of ministry in the thirteenth century.

* Wendover, iv. 297.

CHAP. III.

Edmund Rich. 1234–40.

However angry and corrupt the king may have been, he could not absent himself from the consecration of Edmund. The consecration of a primate was second only in importance to the coronation of a sovereign. It was a national act. The king, therefore, with all his court, including the Bishop of Winchester—the ministry not being, as yet, dismissed—attended the consecration of Edmund, at Canterbury, on the 2d of April, 1234.

The consecration was conducted on a scale of great magnificence, notwithstanding the embarrassed state of the archiepiscopal revenue. Roger,* Bishop of London, officiated, and was assisted by eight suffragans of Canterbury, and two prelates from Ireland.

It was soon seen, that the new primate was not a man to act hastily; or, when he had determined upon a course of action, to recede from it without consideration. He was consecrated on the 2d of April, and on the 9th, another council was held, at which there was an unusually large attendance of earls and barons. Edmund was present, and a debate arose, as to the course to be pursued, to compel the king to perform the promises he had lately made. Henry had done one act of justice: he had granted certain manors, out of her husband's confiscated territory, to the wife of the ill-used Hubert de Burgh. He understood the anger

* Roger Niger. He was a Canon of St. Paul's and Archdeacon of Colchester, when he was elected, in 1228, to the see of London. He was consecrated at Canterbury, on the 10th of June, 1229, by Jocelyn, Bishop of Bath. He was a decided patriot. He manfully defended Hubert de Burgh, Earl of Kent, when he was persecuted by the court. He obtained a considerable endowment from the City of London, for the London clergy. He consecrated the choir of St. Paul's, October 1, 1240. He died, on the 29th of September, or, according to Chron. Waverl. the 2d of October, 1241, at Stepney. His charities were very great. Wikes, 41, 44. Ann. Waver, 203. Wendover.

of the council to have been especially excited by his treatment of that great man; and he hoped that, by this measure, he would so far satisfy the country party, as to be permitted to retain his present councillors; but this was not to be tolerated. The archbishop was commissioned, now that he was armed with full powers, to warn the king, that the people of England were in earnest, and that the threat of the last council would not be permitted to remain a *brutum fulmen*. Attended by his suffragans, Edmund approached the king; and, with his accustomed eloquence, he described the miserable condition of the country. Solemnly, but boldly, he warned Henry that, if he persevered in his present course, governing England by foreigners, and supporting foreigners by mercenary troops enlisted in foreign parts —that, if he did not make peace with his native subjects, whose just indignation had been aroused—the archbishop, acting with the advice of his suffragans, and at the request of the earls and barons, was determined to pronounce sentence of excommunication upon the king, and upon all who disturbed the peace of the country.

It is through the press that modern princes receive their warnings; it was by the Church that they were warned in the middle ages. Henry was alarmed; but, what was more to the purpose, the alarm extended to those evil counsellors themselves, whom the primate denounced. If they were excommunicated, their life might be in any one's hands; and what they might expect from a hostile population, thinking that, through their death, service would be done to God, it was not difficult to surmise. The foreign ministry advised the king to bend, for a little while, to the storm. Consequently, the Bishop of Winchester was remanded to his diocese, and required to confine himself to his spiritual duties. Peter de Rivaulx was banished the court,

CHAP. III.

Edmund Rich. 1234–40.

required to give up the royal castles, and to render an account of the royal finances. The Poictevins were commanded to leave the country. The English prelates and barons were recalled to the councils of the king. A complete change of ministry was effected, and, to the credit of the country party, without bloodshed.

Edmund now accepted a civil office, and took upon him the duties of a diplomatist.* Attended by the Bishops of Chester and Rochester, he was sent into Wales, to negotiate a peace with Llewellyn the Prince, who, with certain English noblemen, were in arms, not against the king, but against his evil advisers—a distinction which our ancestors learned early to make.

The negotiation was easily settled; the archbishop and his suffragans having already effected, by other weapons, the end, for the attainment of which Llewellyn and his accomplices were in arms.

Everything seemed to be going on satisfactorily, and another council was convened, to meet at Gloucester, in the month of May, to complete the reconciliation, now so happily commenced, between the king and his subjects. An Act of Indemnity, if we may anticipate the use of that term, was passed by the king. The prelates and nobles were, therefore, able to meet, without fear of arrest, for conduct which, however patriotic, was scarcely distinguishable, by courtiers, from acts of high treason; but the proceedings were interrupted by an untoward event, which even endangered the life of the king, though it ended in securing for the patriots the immediate accomplishment of their object—the entire dismissal of the foreigners; though only for a time.

A gloom had been cast on the meeting, by the intelligence, that the Earl Marshal, Richard, Earl of Pembroke, the worthy representative of a loyal and

* Wendover, iv. 299.

patriotic father, had died, in Ireland. The news had reached the king, when he was at Woodstock, on his way to Gloucester, and had filled him with consternation and alarm. Although the patriotism of the Earl Marshal had induced him, not long before, to take up arms against the king, yet he had been pardoned; Henry, on hearing of his death, went out of his way to declare, that Pembroke had died a true knight, and had not left his equal in England. He immediately ordered masses to be said for his soul. This excess of zeal certainly betrayed an anxious mind, and this was remarked by his contemporaries.

During the session of the council at Gloucester, certain letters were placed in the archbishop's hands, sealed with the royal seal. The letters were addressed, in the king's name, to the nobles of Ireland, requiring them, by fair means or by foul, to accomplish the death of Pembroke;* although, in the late pacification, he had been reconciled to the king. Under this mandate for assassination, the Earl Marshal met his death.

The excitement and indignation occasioned by the production of these documents, can be more easily imagined than described. The hall resounded with the clang of armour, for each baron's hand was on his sword's hilt, and the sword was almost drawn from the scabbard. The hands of many a prelate, not unused to war, were stretched out to receive the first weapon his retinue could supply. A shout of fierce anger burst from all. The king was in tears. His courtiers were in the attitude of deprecation and entreaty. Henry's voice at length was heard, and there was a pause. In terms the most abject and solemn, he offered to make oath that, though the letters were sealed by his seal, he had been ignorant of their contents. Trusting everything

* Wendover, iv. 292, 293.

CHAP. III.

Edmund Rich.

1234–40.

to Peter des Roches and Peter de Rivaulx, he had been accustomed to permit his seal to be attached to documents he had not read.

It is possible, that this was literally true; though the king's whole conduct shows, that, if he was not acquainted with the actual contents of the letters, he could not have been ignorant that their general purport was hostile to the Marshal. But the patriots were not an organised party, and, without consultation, no one knew how his neighbour would act. The first who might draw his sword, was liable to be apprehended as a traitor; and he knew not, whether, in all that assembly, he would find a defender. Therefore, Henry's protestation of innocence, if not believed, was accepted.

The archbishop, fixing his eye upon the trembling, weeping, royal culprit, with a mixture of sternness and pity, said, "Examine your conscience, Sir king, for not only they who caused these letters to be sent, but all who were aware of the treachery designed, are as guilty of the Earl Marshal's murder, as if with their own hands they had done the deed." *

This crime sealed the fate of the ministry. As if to show that the opposition were animated by a patriotic, and not a mercenary spirit, the archbishop readily acceded to the proposal of a subsidy, to the amount of a thirtieth, upon all movables. It was not more than enough to meet the expenses of the careless and extravagant king; and it was felt, that the surest method of keeping him out of the hands of unscrupulous adventurers, was to keep him out of want.

In his domestic and private habits, the archbishop made little alteration, except on state occasions, when he assumed the magnificence which he thought his station required.

* Wendover, iv. 311.

Some punning hexameters, alluding to the tradition, that Edmund had come into the world in an unusual state of purity, indicative of the purity of his soul, have been preserved to us by the Waverley Annalist :—

"Hic erat Edmundus, anima cum corpore mundus,
Quem non immundus poterat pervertere mundus."

If it be the business of a poet to exercise his imagination, these verses are truly poetical; unless, indeed, they may be regarded as sarcastic. However pure and spotless St. Edmund may have appeared, when first he came into this sinful world, he had a dislike, which was, at the time, accounted meritorious, to water. Even when it was offered him as a beverage, he habituated himself to restrain his appetite, and luxuriated in the miseries of thirst. Looking only to the purity of the inner man, he always eschewed the bath.* He refused to wear gloves—*chirothecæ*—except in church, where gloves formed part of the episcopal dress. The scapular he used at night, was thrown across his shoulders in the daytime. His cast-off clothes were, indeed, gratefully accepted, by devout virgins and widows, but we may opine that they were valuable, not as wearing apparel, but merely as relics. He carried the asceticism, which the age regarded as a mark of piety, to an extreme, which appears marvellous to us, who have been trained under a different, and a wiser system. On every Friday in the year, and, from Epiphany to Lent, on Mondays and Wednesdays also, bread and water were his sole support. He seldom broke his fast more than once in the twenty-four hours. In prayer he was frequently so excited, that he was seen to be continually shifting his position; and, from

* "De corporis seu capitis sui non curabat lavacro, satis esse arbitratus, si inesset mundities cordi suo."—*Bertrand*, 1794.

CHAP. III.

Edmund Rich. 1234–40.

the frequency of his devotions, his knees became, like those of St. James, callous as the knees of a camel. Notwithstanding his mortifications, and his many labours, he thought it sinful to make even sleep refreshing. He would lie, not on a bed, but on a bench, placed at the foot of his bedstead, or upon the hard ground. At length, he regarded a recumbent posture too luxurious, and would sleep, with insufficient clothing, sitting on his hard chair. It is not to be wondered at, if his contemporaries feared, lest such an extent of discipline would end in insanity; and his occasional illnesses were only what we should expect, from habits such as these. The hagiographers have, doubtless, exaggerated what they regarded as meritorious actions, on the part of their saint; but, although we have not, at present, any sympathy with an Heautontimoroumenos, we must regard with admiration, and treat with all the honour that is due to him, the moral hero, who, though, as we think, misled, was, nevertheless, true to the system he adopted, and proved his sincerity, by making his whole life a martyrdom.

The archbishop, though abstemious himself, liked to see those around him enjoying themselves; neither did he deny himself the pleasure of female society. When treasurer of Salisbury, we have seen him the friend, and adviser, of the Countess Ella; and he not only visited his sisters at Catesby, but, when one of them became the prioress, he placed under her care a rich heiress, of whom he had been appointed guardian,—the daughter of a baron in Northamptonshire. The heiress herself became a nun, and a platonic affection was entertained for her in the heart of Edmund. She, with his sisters, and, we may presume, with other inmates of the establishment at Catesby, was a frequent visitor at the palace at Canterbury; and the ladies made the

primate's court a place of cheerfulness, notwithstanding the asceticism of its master. On one occasion, when the heiress was returning to her home, the archbishop embraced her, and said tenderly, in the presence of his whole household, "We should never part, if the world were not more evil in its judgments, than we are in our thoughts."

From this intimate friendship, some scandal arose; and Edmund's answer was, when he was told of the world's ill nature, "For this description of sins I should have no occasion to blush, if all the actions of my life were graven on my forehead."

To become *utpote cadaver*, even as a corpse, is the beau ideal of monastic perfection. But it is not in accordance with the will of Him, who has revealed His law, not to eradicate, but only to regulate the passions, desires, and affections of the living man.

The archbishop dispensed with ceremony on ordinary occasions. He would take off his shoes,* and dress or undress, without the assistance of a valet; and, if his cross-bearer were late, when the chapel bell was ringing, he would carry the cross himself. These may have been affectations, or the pride which affects humility. A surer proof of his real humility was, his readiness to sacrifice his own convenience to that of others, and

* "In primate totius Angliæ humilitatis indicium evidens et insigne," says Bertrand, 1805. This humility of Edmund, in taking off his shoes without help, may be contrasted with the story of a modern prelate, carrying his own carpet-bag. There is no reason why a bishop should not take off his shoes without assistance, or carry his own carpet-bag; but there is no pride, even if there be indolence, in seeking assistance, either from a shoe-black or a porter, to save oneself from that which may be troublesome to the one party, and a pleasure, if it be accompanied by a douceur, to the other. To go out of the way to appear humble, is an affectation of which the proudest may be guilty.

CHAP. III. Edmund Rich. 1234-40.

the fact that he was, at all times, accessible to those who asked for an interview, either on business, or on matters relating to their spiritual interests. Although he continued to be a student, and made the Holy Scriptures his chief study, he was never offended by interruptions, and was always ready to assist others in the lowest offices of the ministry. He was now feeling the responsibility of a trustee, and was very careful to exact the payment of fines and rents,—but when, upon inquiry, he found any of his tenants to be needy, he would make a point of assisting them, by occasional presents. He would render them aid in earning a sum of money to start a son in life, or to endow a daughter on her marriage.

With the monastery attached to his cathedral he was involved in controversy, from his desire to correct the abuses, and even the immoralities, by which it was disgraced. He was the more unpopular with them, from the concessions which he made to the rival monastery at St. Augustine's.* Whatever he may have thought of the policy of the Roman curia, in granting

* See Thorn, in X. Script. 1882. On reference to the "Chronologia Augustinensis," we find that the concessions made by Edmund must have been considerable; although some of the bulls which were, at this time, obtained in favour of the monks of St. Augustine's, were probably the result of the hostile feeling towards the archbishop, on the part of the king and of the pope. It is historically interesting, to trace, in Elmham, the gradual accession of rights on the part of the monks, and the encroachments on the hierarchy. Hardwick, in the introduction to the "Historia Monasterii S. Augustini Cantuariensis," by Thomas Elmham, observes :—"The constant plea of Augustinians, in their struggle with the archbishop, was, that the aforesaid monastery, by virtue of papal grants of privilege, had been exempted, since its very foundation, from all ordinary judicatures—exempted, not in head and members only, but in all things appertaining to it, within and without." They held that no one, save the Roman pontiff, or a legate, to whom such

to the greater monasteries an exemption from episcopal supervision, he would not offer an irritating opposition to practices, which seemed to follow from these and other privileges, which had now obtained the force of law. The opposition in regard to minor details, though natural at first, seemed now to serve no other purpose than to give occasion for the display of party violence on either side. The sympathies of Edmund were also with the monks. He permitted the bells to ring when an abbot visited an appropriated living, or held a manorial court; and he allowed the exercise of all the rights which, by custom, attached to peculiars,—rights which were only abolished under Queen Victoria.

In 1236, he issued his constitutions. Although they are published, by Lyndwood, as provincial constitutions, they were probably only designed, at first, for the archbishop's own diocese. The ancient constitutions were very similar to a modern episcopal charge. The archbishop affirmed the law, as it had been laid down in some general council, or in the decretals, for the reformation of the clergy and laity; and then stated, how far he intended them to be enforced in the dioceses, subject to his metropolitan jurisdiction.

From these constitutions, we learn that many of the clergy had contracted an irregularity, for which the archbishop decreed their suspension; some on account

power might be occasionally entrusted, had jurisdiction of any kind over their monastery, "the abbot or the monks, the clerics or the tenants;" but that all ordinary jurisdiction was consigned to officers of the society itself; the abbot, in particular, having a plenary power in all the churches appropriated to the monastery, or otherwise belonging to it, so that he could institute or displace the clergy of those churches, and, in a word, could exercise all kinds of jurisdiction, "such as bishops were accustomed to exercise in their own dioceses." Pp. viii. ix.

CHAP. III.

Edmund Rich. 1234–40.

of murder, or for the being the aiders and abettors of murder; some, because they were guilty of simony; others becase they were ordained by schismatics, heretics, or bishops under sentence of excommunication; others again, because they had been twice married, or married to widows; others, yet again, because they were excommunicates, or because they obtained orders by false representations. Some there were, who were sorcerers, and burners of churches.* This is certainly no very favourable view of society, or of the Church; but these were the evils, for guarding against which, Edmund was regarded as a strict disciplinarian.

The wives of the clergy were now styled their concubines; and Edmund ordered, that any woman, standing in this relation to a clerk, should either marry a layman, or go into a cloister.†

The unmarried clergy were much given to an attendance at scotales, or public compotations; at which some one person paid the scot, and stood the treat, and the rest drank with him, and drained the cup at equal draughts. A prize was won by him who, when the others were rolling under the table, had drunk the most, and yet remained, if not quite sober, yet sufficiently so to carry off the cup. Some of the clergy would actually give notice in church of an approaching scotale. This the archbishop prohibited.‡

It was necessary to keep the fonts under lock and key, for fear of sorcery; though the manner of committing the offence does not appear.§ Lay baptisms were frequent, and all that was required was, that water and the word should be used; but it was indifferent, whether the form was in Latin, English, or French.‖

* Canon I. † Canon IV. ‡ Canon VI.
§ Canon IX. ‖ Canon XI.

An order was made, that, if it were certain that the woman in childbirth was dead, she was to be cut open, in case the child should be thought to be alive; although care was to be taken, that the mouth of the woman should be held open, for fear the child should die for want of breath.*

Mothers appear to have been, at this time, careless nurses, the following caution being necessary: "Let mothers be admonished, to nurse children with caution, and not lay them near themselves at night, while they are young, lest they may be overlaid; nor leave them alone in a house, where there is fire or water, without some one to look after them; and let them be reminded of this every Lord's Day.†

Parents were much in the habit of forming marriages for their children, without their consent, for the conveniences of property. One of Edmund's constitutions, therefore, ordains, that, as it is no marriage, when the consent of both parties has not been obtained, therefore, the act of parents, who give girls to boys in the cradles, is null and void, unless the consent of the two contracted parties be obtained, when they come to years of discretion.‡

In several of the constitutions, we find indications of the insecurity of life and property. The following is curious, because there would not be legislation, unless the evil sought to be remedied was of not very infrequent occurrence: "If advocates, feudatories, or vidoms § presume to kill or maim a rector, vicar, or clerk of that church (in which they are interested)

* Canon XIV. Lyndwood's remark on which is, that "if the mother were not cut open, two seeming ill-consequences might ensue —the child would be murdered, or the child, though unbaptized, would be buried with its mother."

† Canon XV. ‡ Canon XXX.

§ Feudatories were, according to Lyndwood, laymen who held

CHAP. III.

Edmund Rich. 1234–40.

either by themselves or others, the patrons are then wholly to lose their patronage, the advocates their advowson, the feudatories their enfeofment, and vidoms their vidomship to the fourth generation." *

In the earlier part of the same year, the hospitality of the archbishop had been taxed, by a royal visit. The king made his appearance at Canterbury, with a splendid court and retinue, to be entertained at the archbishop's expense. He had come to await the arrival of his betrothed bride, Eleanor of Provence, of whose family we shall have occasion to speak in the next chapter.

On the 14th of January, the young princess, then only fourteen years of age, was married in Canterbury Cathedral, by the archbishop. He was inauspiciously assisted by the foreign prelates, who had accompanied the young princess from the Continent. The archbishop accompanied the court to London; where the enthusiastic reception given to the young queen, by all classes, showed the readiness of the people to give the king a new trial. Under that trial he received no assistance from the queen, whose attachment to her family, and whose patronage of foreigners, only added to his troubles, though it conduced to the brilliancy of his court.

The Saturday before the queen's coronation, the king laid the first stone of the Lady Chapel of Westminster Abbey, in which church the coronation was performed, on the 19th of January, under circumstances of unusual pomp and ceremony. The primate officiated. The Bishop of London acted as dean. The bishops sat, as

lands in fee of the Church. He supposes vidoms to be the same as patrons. But, as Johnson says, vidoms (*vice domini*) were more probably the heirs of those who had founded religious houses, and claimed certain rights over their estates, and the churches attached to them.

* Canon XXXIV.

had been arranged before, according to the date of their respective consecrations. Among the abbots, the first place was assigned to the Abbot of St. Alban's, representing the proto-martyr of England. The Abbot of Westminster sprinkled the holy water; and the treasurer carried the paten.

When it was discovered that Edmund was not the malleable person it was expected, and that he had no intention to become a cipher in the State, it was determined, by the court party, to nullify his influence, and virtually to supersede him in his office. The new decretals had given undefined power to a *legate à latere*, and the time had not arrived when the authority of a decretal could be disputed. To the surprise of the archbishop, and the country, it was discovered that Henry had secretly applied to the pope, for a legate, who might reside in England, and act as the king's adviser.

As soon as this clandestine transaction came to the knowledge of the primate, he remonstrated against the proceeding, as an insult thus offered by the royalist party to himself. He pointed out the injurious consequences of establishing such a precedent. There had, indeed, been the precedents of Gualo and Pandulf, but the country had just shaken itself off from the chains, with which the king was attempting to bind them. The nobles remonstrated, and the commons murmured. The king, it was said, violated every promise he had made, set at naught the laws of the country,—and much of the evil was attributed to the fact, of his having married a foreign woman, without having consulted his true friends and natural subjects.

But party combinations, to carry objects, in a peaceable manner, were not, at present, understood. The king, it was supposed, could only be restrained by force of arms; and, though there were partial risings,

CHAP. III.

Edmund Rich. 1234–40.

they were easily put down, as no great man had yet risen to place himself at the head of the people.

The nobles had been jealous of Hubert de Burgh, whose wise policy had been, in some measure, impeded by his personal ambition; and, although they now perceived his merits, it was too late. The enemies of the great minister had been permitted to triumph over him, and he was too old to rise again. Besides, patriot though he was, in regard to the exclusion of foreigners, he was always against anything which looked like rebellion; and his notions were lax as to the despotic rights of sovereigns to compel their subjects to replenish the treasury, whenever it happened, from whatever cause, to be empty.

On the other hand, the court party was gaining in strength. The king surrounded himself with foreign mercenary troops; and the foreigners, who reigned supreme in his court, laughed at the natives; who begrudged the expenses, which it was necessary for the king to incur, when his object was to introduce, into England, the refinements of the south of Europe. They required, however, a leader. The Poictevin Bishop of Winchester was unpopular, and there was a difficulty in giving him the office of chief minister of the Crown. He expected the office, and was, at first, opposed to the coming of a legate. But he was, afterwards, reconciled to the measure, which was the more necessary, in the opinion of the court party, since the clergy were at this juncture the most difficult to manage. The clergy of the Church of England were, at this time, opposed to both courts—the court of Henry and the papal court—and it was desirable to have, not only a wise counsellor for the king, and a man utterly regardless of the rights and liberties, of which the English made so much boast, but one who could

excommunicate the ecclesiastics, if they were not subservient to the Crown.

Gregory IX., too ready to comply with the royal wish, displayed his usual sagacity, in the choice he made of the man upon whom to confer the legatine authority. Otho Candidus, or le Blanc, Cardinal of St. Nicolas in Carcere Tulliano, was a man of considerable ability, and was eminent for many virtues. We may infer this, from the fact, that he was the chosen companion of Louis IX. in the seventh crusade, when he displayed his courage and his charity on more than one occasion. Although his appointment was most unpopular among the upper classes of society and the clergy, every exertion was made, by the court party, to prevent any unfriendly manifestations on the landing of the legate. The country party was no longer combined, as in the time of Archbishop Richard. At all events, it did not, in this respect, act in concert; and the king and his friends were able, in consequence, to give the legate a brilliant reception. Some English sees were held by foreigners, or by persons, who were indebted for their benefices to foreign influence. These, and the expectants of preferment from court favour, tendered their homage to Otho while he paused in his journey, at Paris, being doubtful whether his legatine commission would be acknowledged in England. The archbishop and the patriots were extremely indignant, when they heard that, among the presents sent by the ecclesiastics of the court party, was a large supply of scarlet cloth, which was regarded as a recognition of his office, before the council had been consulted upon the subject. Peter des Roches, Bishop of Winchester, sent in his adhesion to the legate, by supplying him, on his landing in England, with fifty fat oxen, a hundred quarters of best wheat, and eight pipes of the strongest wine. The friars were, of course,

CHAP. III.

Edmund Rich. 1234–40.

enthusiastic in their reception of a legate from the pope, and they stirred up the populace, among whom they had established their popularity. The monks, though aware that they should pay dearly for the honour of entertaining so eminent a person as the legate, were unable to offer any decided opposition to the representative of the pope, on whose favour their exclusive privileges depended. In the middle-classes, then as now, the English character displayed itself, in that apparent inconsistency, which unites a general dislike and contempt of foreigners, with a kind of hero-worship, whenever a foreigner of distinction appears among us. Many who most cordially hate the French, with some consciousness of the injustice of the national antipathy, will make an exception in favour of any French individual with whom they may be brought into contact, and will overwhelm him with kindness. These were prepared to make "the welkin ring with their shouts," when the king arrived at the coast, with a splendid retinue, to receive his guest. It was remarked, that, as the king made obeisance to the legate, on his landing, he bowed so low, that the royal chin almost touched the royal knee. When we consider the state of the country, we must admit, that the conduct of Otho, on his arrival, was such as fully to justify his appointment by the pope. His manners were conciliatory. He united the court party, among whom some misunderstandings had arisen. He won to his side some of the weaker among his opponents. He added to his popularity, by a progress through the country with the king. Wherever he went, there was a general holiday ; pageants, processions, and feastings, at the expense of the abbeys ; where alone there were complaints of the expense, sometimes almost ruinous, of entertaining the two splendid retinues, that of the king and that of the legate.

It does not fall within my province to follow the legate, either in his progress, or his policy, or to do more than just mention, that the King of Scots, a wiser man than Henry, administered, whether intentionally or not, to the latter king the rebuke he deserved, by refusing to permit the legate to cross the border into Scotland. No legate had ever been admitted into that kingdom, and none was admitted now.*

Even in raising money, the legate, acting as the minister of the Crown, was successful, to an extent quite equal to the expectations of the court. But we must bear in mind, that, although indignation was felt, and sometimes resistance offered, to an attempt to raise money by unconstitutional means, this was not the great patriotic controversy of the day. This, it will be remembered, related to the exclusion of the English from the management of their own affairs, and the choice of foreigners to be the ministers of the Crown, or, as they were then styled, the favourites of the king. The king thought it hard, not to be permitted to choose his friends and advisers; and, regarding his opponents as rebels, so long as he could maintain a mercenary force of foreigners, he kept them in check. An occasional battle was fought; the political minority, which now shows fight in the House of Commons against a powerful minister, then literally fighting their battles with weapons of a carnal warfare. From want of a combined effort, the patriots suffered defeat. If they had been

* The legate, however, got the better of the King of Scotland at last. M. Paris, 498. For all that is stated in this portion of the present chapter, my authorities are—Matthew Paris, compared with Matthew of Westminster, and the various documents in the Fœdera. The statements of Matthew Paris are confused, and sometimes contradictory, at least in appearance. He not unfrequently speaks of a party movement as if it had been some general proceeding.

CHAP. III.

Edmund Rich. 1234-40.

combined, they would have presented to the court, as they afterwards did, an irresistible majority. But while the king could, at this time, manage the barons, he found it impossible to control the clergy. This was to be the especial business of the legate. Although the king was governing without consulting his council, acting under the advice of foreigners, and carrying his will into effect by armed mercenaries—the chief offices of the state, and the law courts, civil as well as ecclesiastical, were in the hands of the clergy. They, as we have remarked, belonged, so far as the seculars were concerned, almost exclusively to the English party.

The mercenary troops of the king were under the command of foreigners; the strongholds of the country were in foreign custody; the object now, was to dismiss the clergy from all the public offices, and to supply their place by partisans of the court. Otho's line of policy is clear. He purposed to abolish those pluralities, by the holding of which, except in the very highest posts, the clergy, employed as statesmen, lawyers, or diplomatists, were enabled to maintain the equipage, in which the personal dignity of the occupant of a public office was supposed to consist. He would compel every bishop, instead of occupying himself with public affairs, to reside in his diocese, and to confine himself to his spiritual functions.

Now we must dismiss from our minds abstract views of these two important questions, and not regard them with our modern notions. The measures under consideration were proposed by a legate, himself a busy politician, and, though only a deacon, yet enjoying the proceeds of a plurality of benefices, the duties of which he did not attempt to perform—the representative of the Bishop of Rome, a sovereign prince.

This at once shows, that these measures were not

suggested by principles which, abstractedly considered, commend themselves to the judgment; but exclusively by political considerations. If further proof were necessary, it is supplied by the fact, that it was not ever pretended that pluralities were to be no longer held, or that the bishops should reside on their bishoprics. Whatever arguments it might have been expedient to employ, this was not the end which Otho proposed to himself. All that he proposed was, that pluralities should not be held, and that the clergy should not be engaged in secular pursuits, *except under a dispensation from Rome.* The higher clergy of the Church of England were much too clear-sighted, not to see the object of the legate; and, in their opposition to his proposal, they were backed by the nobles; who, although they had been lately cajoled, by the promises of the king, to grant him the subsidy of a thirteenth, resented this deep design, on the part of the papal authorities, to obtain for the pope the virtual appointment to all the chief civil offices in England. Even now, there were only a few laymen qualified for office; and, therefore, if the pope might grant a dispensation to ecclesiastics, called by the king to his counsels, provided that they were prepared to act in subordination to Italian politics, and if he might withdraw a dispensation, when any public officer became obnoxious to the Roman court, it was very clear, that all real power would be in the hands of the pope; and this, at the very time, when the concessions of John had been nullified. It is to the discovery of this deep design, that we are to trace the fact, that the nobles, who very frequently regarded, with feelings approaching to complacency, the attacks made by the pope upon the clergy, when their taxation was concerned, now rallied round them.

With the view of bringing the clergy under the

CHAP. III.

Edmund Rich. 1234-40.

dominion of the Roman authorities, the legate gave notice, that he should convene a council. It might have been said, that, if his object was to strengthen and reform the English Church, as he professed, to call a council, after the constitutions just issued by the Archbishop of Canterbury, would be a work of supererogation ; but this objection was met by the fact, that if the authority of those constitutions extended beyond the diocese, to the whole jurisdiction of the archbishop—a disputed point—yet they certainly did not affect the Northern Province ; and to this council, the Archbishop of York and his suffragans were to be summoned. Then again, the question might arise, by what authority could a mere deacon—and Otho was only in deacon's orders—convene a council, in the province of an archbishop. To meet this difficulty, we are to observe the object of the meeting. It was asserted, that certain canons had been enacted at a Lateran council. These, the pope was to promulgate ; and to require provincial and national Churches to accept, so far as local circumstances rendered the acceptance of them expedient. The legate, therefore, represented the pope on this occasion, and the object was not, as in a provincial synod, to make new canons, but to put it to the Church of England, whether it would adopt, in a definite form, and carry into effect, certain principles, already accepted by the Church of Rome. If accepted, they were to become the canon law of the Church and kingdom, to which they had been thus propounded.

Hence the archbishops, and the other prelates of the Church of England, could not object to a summons from the legate, to hear certain statements from him, and, not to discuss them, but to receive or reject them, in whole or in part.

Otho summoned the council to meet on the morrow

of the octave of St. Martin, in the year 1237, and it sat on the 19th, the 21st, and the 22d days of November. The terms in which the council was summoned, are worthy of remark, since they show, that the system of representation, though not yet adopted in State affairs, was, as regards the Church, already in existence. The prelates of England were summoned on the occasion, to wit, archbishops, bishops, abbots and installed priors; and they were required to bring with them letters from their respective chapters or convents, giving them authority to ratify, in their behalf, whatever the council might decree.*

As the day approached, Otho, who was, though morally strong, constitutionally timid, began to feel some anxiety about the proper manner of conducting the business, and no little alarm for his personal safety.

His own party shared his anxiety, with some additional fears, that the legate might, himself, push matters farther, than they were, themselves, prepared to give him their support. A preliminary meeting was, in consequence, held at the legate's residence. There, in a select committee, the order of proceeding, and the nature of the canons to be introduced, were duly arranged. At this meeting, the Archbishop of York mooted the old question of precedence. If this were not a council convened by the Primate of all England, but a meeting to receive and act upon certain communications to be made by the legate, the Archbishop of York † might

* Matthew Paris, 446.

† Walter de Gray, one of the most munificent of prelates, probably did not press the matter. He owed much of his preferment to King John, and was attached to the court party, although, in his old age, he appears to have retired from state affairs, disgusted by the proceedings of Henry III. We shall have occasion to mention him again. He was the cadet of a distinguished family, and was nephew to John de Gray, Bishop of Norwich. He was consecrated

CHAP. III.

Edmund Rich. 1234–40.

urge, that prelates should take precedence according to the date of their respective consecrations, and that, therefore, he should have precedence of his brother of Canterbury. This was one of those questions in which Edmund did not feel any great interest. The legate treated the subject as a trivial matter, but decided that, although the two archbishops were equal in rank, the fitness of things required that the metropolitan of Canterbury should, in England, have precedence of the see of York.

In order to prevent any unseemly discussion when the council met, upon such a point as this, Otho himself went down to St. Paul's beforehand, to arrange what related to the outward circumstances of the approaching assembly. As the president, he had a seat placed in the centre for himself, and on the right hand, a chair for the Archbishop of Canterbury, while the northern metropolitan was to sit on his left.

Two other measures were suggested, one precautionary, and the other conciliatory. Certain privileges were attached to the observance of the festival of Edward the Confessor, whose name was cherished in England, as the last of her constitutional kings; at the same

to the see of Worcester, in 1214, and was translated to York, in 1215. (Hemingford and Waverley say, 1216.) His rival being Simon Langton, brother to the primate, he was obliged to pay 10,000*l.* to the papal treasury, to procure his confirmation. He filled the office of High Chancellor. He was guardian of the realm, or regent, during the king's absence in France, in 1242. He purchased York House, afterwards Whitehall, in London, which remained the residence of himself and his successors, until the time of Cardinal Wolsey; and the manor of Thorpe, now Bishopthorpe, still the residence of the northern metropolitan. He built the south transept in York Minster. He founded the sub-deanery, the precentorship, and three prebends in his cathedral. He died at Fulham, 1st May 1255, and was buried at York.—Wikes, 50. Wendover, iii. 231, iv. passim. Hemingford, ii. 109, iii. 22. Ann. Waver. 180, 183.

time, it was determined, that the usual protest should be made, in the name of the king and kingdom, against any determination of the council, which might be derogatory to the king's crown and dignity.

Notwithstanding these precautionary and conciliatory measures, the feeling of the clergy was so strongly excited against the legate, that Otho feared for his life. It was told him, that some of the clergy, who were of noble birth, were prepared to attack him, as he went to the council; and he applied to the king for a body-guard. It was arranged that he should be escorted by armed men, members of the king's household, under the command of the Earl of Lincoln;—and upwards of two hundred mercenaries, whose appearance might have caused a disturbance, were in places of concealment, ready to attack the people, if any disturbance should take place.

The day on which the council opened, was one of those cold, dismal days, which even then characterized our English climate; although the atmosphere was not yet rendered dense, by coal smoke floating from the east. The area, in the midst of which stood the noble church of St. Paul, was already thronged with the armed retainers, by whom each dignitary had been attended. They were ill at ease, and in no good humour, being drenched and alarmed by a terrible tempest, which had converted the dust, collected in their travels, into mud. Many of them had escorted their lords, also out of humour, from a distance. The cardinal proceeded in great pomp from his lodgings, but he did not overawe the multitude of inferior ecclesiastics, who knew that, for the pomp and grandeur of the foreigner, they would have to pay. It was with difficulty that the cardinal's suite could force its way to the cathedral.

CHAP. III.

Edmund Rich. 1234–40.

When, at last, he reached the door, he found the archbishops, their suffragans, and the other prelates, including under that title the abbots and certain other dignitaries, awaiting him.

He had arrayed himself in a surplice and hood, (scilicet superpellicio et desuper capa chorali,) and over these he piled all manner of furs, his southern nature shivering under the damp cold of a London November. Preceded by the two archbishops, who, with their suffragans, and the privileged abbots, put on their mitres; his cross borne before him, with acolytes carrying wax candles, and the choir chanting a processional litany; he ascended the seat he had caused to be prepared for himself. It was adorned by tapestry and awnings, which offended the good taste of some, who looked upon him with no friendly eye. The service appointed for the occasion then proceeded; and at its termination, the assembled crowd was called to order, and silence was required. The legate rose, and, with a loud, clear voice, addressed the assembly from the text, "In the midst of the throne, and round about it, are four beasts, full of eyes before and behind." * To these he compared the prelates, who ought to be wary in the management of civil affairs, circumspect in what relates to things spiritual, connecting the present with the past, with a view to the future.

The preliminary proceedings were conducted, as had been previously arranged. The decretal of Gregory IX.† under which the present council was held, was read by the legate's secretary. The royal protest was solemnly delivered by certain noblemen commissioned by the king. The assembled prelates were watching for the assertion of the offensive canons. It was well known

* Ezekiel i. 6. Rev. iv. 6.

† See Decretals. Lib. i. tit. 30. c. 10.

what the canons of the Lateran Council were,—but it was not known in what order they would be presented to the council by the legate. The offensive canons occur as the 13th and 20th.* The moment that Athon, the secretary, read the 13th, which called upon the council to confirm the condemnation of those who held pluralities, *without a dispensation from the Pope*, the excitement was great, though nothing disorderly took place. The timid legate was alarmed, and the patriotic Walter de Cantilupe, Bishop of Worcester, took care to appeal to his fears.

The Bishop of Worcester rose with dignity. He took off his mitre; and then, in few but pointed words, expressed the dissent of the English clergy. There were, he said, among them men of high birth, and exalted rank, some of them advanced in years, who held several benefices, and, by the wealth thus acquired, were enabled, not only to maintain themselves in honour, but to keep open house; given to hospitality, and abounding in alms deeds;† it would be hard indeed if these men were to be robbed of their income, and to be, in their old age, reduced to an ignominious poverty. Others there were, young men—

* Johnson, ii. 161, states that Otho had drawn up a much more stringent constitution, in order to enforce the two Lateran decrees against pluralities, but that he was intimidated, and only proposed the very mild canons, which stand as the 13th and 20th. These were, in point of fact, rejected at this time. But Athon, purposely or by oversight, did not expunge them.

† Of the amount of alms on great occasions expected from a prelate in those days, we may form an idea, from the order given by the king, on the vacancy of the see of London, by the death of Roger Niger, that food should be given, out of the temporalities of the church, to 15,000 poor persons, on St. Paul's Day. From the same fund, a sum was paid for lighting 1,500 tapers in the church.

CHAP. III.

Edmund Rich. 1234–40.

men of spirit, and accustomed to carry things with a high hand—who would dare much, before they would submit to be tamely deprived of their benefices, and be content with one. "What their determination will be," exclaimed the bishop, "I can judge by my own. Determined I was, before I was advanced to the position, which I now occupy, that sooner than give up one benefice, under the pretext of such a canon as this, I would run the risk of losing all. And such, depend upon it, is the determination of many others." He concluded, therefore, by imploring the legate, as he had regard to his own safety, and, indeed, the safety of all, to consult the pope again, before pressing this decree upon the Church of England. The Bishop of Worcester resumed his seat, with the applause of the assembly; and Otho, intimidated and alarmed, suggested that the assembled prelates should address the pope upon the subject.

It has been supposed, that the canon, as it now appears in the constitutions of Otho, appears in a modified form, and was the result of a compromise; but this is not of any great importance, as the canon was never put into execution. The course, which was found practically useful, was adopted, although opposed to every consistent theory of what was right. The bishops continued, for many years to come, to be among the most prominent of the statesmen, the lawyers, and the diplomatists of the country.

To return to the council. The other canons were accepted, as a matter of course. They were, indeed, little more than a repetition of the constitutions of Edmund. From the perusal of them, however, we gather further historical information; and it may be remarked, that the study of the ancient canons is peculiarly useful to the archæological student. Many churches, and even some cathedrals, had, up to this

time, remained unconsecrated.* The sacraments were not unfrequently sold. They were now, for the first time in England, declared to be seven, neither more nor fewer.† Idiots, illegitimates, irregulars, illiterates, and foreigners, in order that they or their friends might enjoy the proceeds of the benefices, to which they were appointed, were not unfrequently admitted into holy orders.‡ Churches were often farmed, and persons only in deacons' orders were instituted to vicarages; while others obtained livings by fraud, and then kept possession of them by force of arms.§ The clergy, secular in their pursuits, affected the dress of the laity, or frequently appeared in unbecoming apparel. They were, some of them, dressed like soldiers. The bishops were, sometimes, offenders in this way; and in their garments, their spurs, their bridles and saddles, the members of their households, looked like anything but clergymen.‖

The number of clergy "who lived with women, in matrimony or otherwise," was described as a great prevailing evil.¶ A real evil it was, that the sons of

* Canon I. This was one of the real grievances arising from the non-residence of bishops. It was probably noted here, with the one political object of excluding the Anglican bishops from politics.

† Canons II. and IV.

‡ Canon VI.

§ Canons VII. VIII. IX. X. XI.

‖ Canon XIV.

¶ Canon XV. "Huic morbo, qui multum invaluisse asseritur, sic duximus occurrendum." John Athon, the celebrated jurist, who acted as Otho's secretary on this occasion, makes it a moot point, whether the children of the married clergy were bastards. Johnson remarks, that the question was not worth disputing, since t was evident they were so treated by the governors of the Church. This is not quite correct. Their legitimacy seems to have been admitted by the civil law, and though they were treated as illegitimate by the ecclesiastical authorities, till a dispensation was obtained from the pope, the dispensation did not confer the rights of legitimacy, which were primarily possessed.

CHAP. III.

Edmund Rich. 1234-40.

the married clergy were attempting, in many places, to render their father's preferment hereditary.* Robbers, at this time, abounded in England; maintained and defended by the noblemen.† An attempt was made, in some monasteries, to enforce the rule of St. Benedict, and to cause monks, nuns, and canons, except when aged or infirm, to abstain from flesh.‡ The archdeacons were accustomed to travel with a larger retinue, and a greater number of horses, than were necessary; they were, many of them, accused of taking bribes for abstaining from visitations, or withholding punishment when deserved. They, and their officials, were accused of encouraging litigation.§ Against these misdoers, and against other malpractices, the various canons were directed, and the council broke up without any disturbance. The *Te Deum* was sung, all standing, and, after the benediction, the assembly dispersed, while the members of the council returned to their homes, in anything but good humour.

The council was a complete failure, as far as the legate was concerned. He perceived, that the clergy of England were not to be imposed upon, or cajoled, as he had expected, and his whole policy was immediately changed. Henceforth he sought to intimidate and menace them. He now assumed great pomp and state; and was notorious for the display he made of horses, plate, and furniture. The king was more than ever devoted to him; and the only way to the Royal favour was, through the mediation of Otho. The legate no longer refused "to sell his offices for gold to undeservers." He abused the prerogatives of the Crown, to obtain preferments for his friends. The unpopularity of the king and legate increased; and the more so, because

* Canon XVII.
† Canon XVIII.
‡ Canon XIX.
§ Canons XX. XXI.

those, who would have served him for reward, perceived that the rewards were reserved for the foreign relations of the king, or for the Italian supporters of the legate.

The archbishop's quarrel with the king was brought to a climax by the primate's opposition to the marriage of Eleanor, the king's sister, with the celebrated Simon de Montfort. She had been married to the Earl of Pembroke, the late Earl Marshal, and, in her widowhood, was reduced to a state bordering upon despair. She found a spiritual adviser in Edmund of Abingdon. He consoled the widow, by advising her to devote herself to the service of God. This, in the spirit of the age, implied a vow of perpetual widowhood. The vow was kept, until the fair Eleanor saw, in Simon de Montfort, a man, who was, in all that could dignify and adorn the character of a nobleman, second only to the husband she had lost, and who was destined to surpass him in fame. Captivated herself, she made a capture of the Earl of Leicester. They married, and the archbishop excommunicated them. Simon was not, at this time, the patriot he afterwards became. Although he was naturalized, and was an English earl, renouncing his foreign honours to secure his position in England, he was, at first, with the party of the court.* His political principles, therefore, though they were afterwards the same as those which the archbishop professed, may, at this time, have had some effect upon Edmund, in causing his indignation to be more demonstrative than it would have otherwise been.

There may have been, also, some unconscious feelings of jealousy, when he found Eleanor forsaking, for

* Matthew Paris certainly speaks of Leicester, as among the royal favourites at one time most obnoxious to the barons. Matthew Paris, 376.

CHAP. III.

Edmund Rich. 1234–40.

another, the spiritual friend, to whom she had hitherto deferred, with all the deferential affection of her nature. But, be this as it may, Edmund would be really shocked, as many of his contemporaries were, at the open violation of a vow of celibacy, and at the encouragement given, by the court, to what he regarded as a grave offence, and a moral delinquency. Otho availed himself of the opportunity, to ingratiate himself further with the king, and to ruin entirely any remaining influence, which the archbishop may have possessed. A dispensation might be obtained, and the Lady Eleanor might be relieved from the obligations of her oath, by the powers, which had been assumed over the laws of God as well as of man, by the pope. If the lovers could have waited, it would not have been difficult to obtain a dispensation, on the payment of high fees, and on the promise of future favours. As the case now stood, the difficulty, of course, was greater. The young couple had taken the law into their own hands. The difficulty of the case only added to the court's obligation to the legate, which, though not without requiring Simon de Montfort himself to visit Rome, was, as might be expected, successful. A better wife, or a nobler husband, than Simon and Eleanor, the history of the middle ages does not present to our view. Though Edmund cursed them, and Grosseteste predicted, that the marriage would be both unhappy and unproductive, Simon and Eleanor, nevertheless, lived to become the happy parents of a large and united family.

The archbishop was brought into controversy with some, also, of his suffragans. There was evidently not a good understanding between him and the celebrated Robert Grosseteste, Bishop of Lincoln. They had been contemporaries at the university: it was even said,

though without any proof, that Grosseteste had been a pupil of Edmund. Edmund officiated at his consecration, in 1235. On that occasion, we find the bishop elect counselling the archbishop, to adopt conciliatory measures, and to permit the consecration to take place, as usual, in the Cathedral of Canterbury.* The chapter of Canterbury possessed a privilege, which they enjoy to the present day; according to which, the primate cannot consecrate a bishop for his province, in any except the metropolitan church, unless their permission be first obtained. The archbishop, being at this time on bad terms with the chapter, though the quarrel had not yet amounted to an open rupture, was disinclined to officiate in their church. He would not yield, and the consecration took place at Reading. The chapter did not incur the expenses of litigation, but entered a protest, that this case should not be drawn into a precedent.†

Grosseteste and Edmund, whatever may have been their former intimacy, did not act together, or sympathize with each other, in political affairs.‡ The Bishop of Lincoln, regarding the subject from an ecclesiastical point of view, was especially opposed to the secular employment of the clergy. He sided with the legate

* Letter xii. ed. Luard. Pegge's Grosseteste, p. 36. Archbishop Edmund consecrated William de Raley, Bishop of Norwich in 1239, at St. Paul's; Hugh de Pateshull, at Guildford; and Howel ap Ednevet, at Boxgrove. But these consecrations took place in 1239 or 1240, when the chapter of Canterbury was under suspension. Although the consecration of Richard of Wendover to the see of Rochester took place at Canterbury, it was at St. Gregory's church, in November, 1238.

† Wendover, iv. 325.

‡ See Letters xxvii. xxviii. lxxii. in Luard's "Grosseteste." The political opinions of Grosseteste underwent some modification at a later period.

CHAP. III.

Edmund Rich. 1234–40.

against Walter de Cantilupe. He desired to visit with ecclesiastical censures one of the clergy, who had accepted the office of justice itinerant, or, as we should now say, judge of assize. He appealed to the archbishop to support him. There are several letters urging the archbishop to enforce the discipline of the Church, in this, as in other respects. But the archbishop refused to act. For this, he is severely censured by Pegge.*

The politician will, perhaps, be inclined to admire the political sagacity of Edmund, who was content to incur the charge of inconsistency, and to place in abeyance a principle, the abstract excellence of which could not be denied, to secure the end, for the furtherance of which alone the principle was laid down. How could the cause of the Church and the country be best promoted? This was the question which Edmund had to answer. He agreed, rather to our surprise, considering his antecedents, with the blunt and worldly-minded Walter de Cantilupe, in thinking, that the end would be best promoted by the superior clergy, if they delegated their routine and spiritual duties to others, and devoted themselves to State affairs. Edmund thought to further the cause of religion through the State; Grosseteste, to serve the State through the Church. The king was obliged to offer the vacant offices, in the first instance, to Englishmen. If, by enforcing the canons, Grosseteste had succeeded in preventing them from accepting office, foreigners would have been appointed. Grosseteste said, "Do your duty, let the consequences be what they may." Edmund was willing to let things take their course. The young will sympathize with Grosseteste; older heads may decide, that Edmund was

* Pegge's Grosseteste, 50.

not to be blamed. Insinuations against his conduct were not wanting among his contemporaries. It was said, that he was influenced by worldly solicitudes and fears; to which, however, he replied with truth, that he valued not the temporalities of his office, more than the clay on which he trod—and, that what he did, was done with an object, which commended itself to his judgment.

When politics were not concerned, the archbishop and the Bishop of Lincoln concurred in their judgment. Both of them were bent upon effecting a capitular and conventual reformation. The difficulties they had to encounter were great. The interests of the cathedral chapters were, in many instances, identified with those of the monastic institutions, since many of the cathedrals in England were in the hands of the regulars. How far the bishops had the right of visiting the monasteries, and what were the extent and character of the exemptions conceded to many of the abbeys, these questions were not easily answered. The monasteries contended, that they were dependent only on the pope; and the pope was always ready to side with a monastery, if possible, against a bishop.

The demand for monastic reform was urged from all quarters; and, more especially, by the new and popular mendicant orders. The old Saxon monasteries, whose brethren were commonly called, from their dress, black monks, had undertaken to reform themselves. They were Benedictines by profession; they now determined to observe, with greater strictness, the rule of their order, which they had long neglected.

It was with his own monasteries—the monastery attached to the cathedral at Canterbury, and that which formed the chapter at Rochester—that Edmund had his greatest trial and difficulty. The monks of

CHAP. III.

Edmund Rich. 1234–40.

Canterbury had not only relaxed their rule—they not only indulged in luxurious living—but they were found to be guilty of the grossest immoralities. Things were done of which Matthew Paris, himself a monk, was ashamed to speak. It is not necessary to enter into details, we have only to observe that, from the archbishop, when he attempted to enforce discipline, they appealed to Rome. A similar course was pursued by the monks of Rochester.

We have had occasion to remark upon the peculiar circumstances of the see of Rochester, in its relation to the primate. The archbishop possessed the same rights with regard to Rochester, as the king was accustomed to exercise, with regard to the other sees; the right of investiture, both in temporals and spirituals, and the undefined rights of patronage, which the *congé d'élire*, issuing from the archbishop, implied. As at Canterbury, the monks of Rochester were always ready to contest these rights. A controversy between them and the primate now arose, touching the election of Richard de Wendover; and the monks appealed to Rome. The archbishop's right to visit the monasteries of the diocese of London, was disputed by the bishop, and the London monks appealed; all parties being urged to this course by the legate. The monasteries, foreign institutions, hostile to the national Church, though attached to it, were always ready to dispute the authority of the metropolitan.

Edmund became convinced, that nothing could be effected, in the way of monastic reform, unless he had a good understanding with the authorities at Rome; and could ascertain from them how far he could calculate on papal support, in any measures he might devise, for the accomplishment of the end he had at heart.

The archbishop, therefore, determined himself to visit Rome, and to have a personal conference with the pope upon the whole subject. He left England for Rome, in 1238.

Gregory IX. had now occupied the papal throne for eleven years, and it might have been supposed that his character, as an ambitious and unscrupulous politician, was already known. Edmund, however, only remembered the virtues of the Bishop of Ostia, and the high character sustained by Ugolino de' Conti di Segni. He was, therefore, bitterly disappointed at the reception he met with at the court of Rome. In Henry's court, however hostile the king may have been, the Primate of All England was a personage too important to be treated with disrespect; but at Rome, Edmund was regarded as the opponent of the papal policy, and it was determined, that such a one should be made clearly to understand, that no favours could be obtained from the papacy, unless a pledge were given, that Roman interests should be upheld in England. Favours Edmund had not come to ask. He expected justice. He hoped to persuade the pope, that the policy he had pursued towards England was unwise. But the pope had been enlightened on the state of public affairs, by Otho, whose agents were active and influential at Rome. At Rome, as in England, the same policy was pursued. The archbishop was to be won to the side of the court, against the people, or he was to be intimidated into a resignation of his see. Edmund was soon aware, that he could not expect justice at Rome; and, meek as he was, he felt and resented the studied insults, which were offered to the Primate of All England. He acted with the spirit which became the representative of a nation, now rising into independence, resolute to assert its liberties,

CHAP. III.

Edmund Rich. 1234–40.

and determined to maintain its dignity. Scarcely any notice was taken of him by the court or family of Gregory IX. But, when the pope gave a grand dinner-party, on the festival of Gregory the Great, it was impossible, on such an occasion, to exclude the Archbishop of Canterbury. The invitation came, but Edmund felt that it was beneath the dignity of the Archbishop of Canterbury, after remaining at Rome, unnoticed by the pope, to accept a general invitation to what was, in point of fact, a public dinner. He declined to go. His friends urged him to reconsider his determination, as his refusal would be regarded as an insult offered to the pope. But Edmund was firm. The next morning, the archbishop received intelligence that, at the pope's own table, a murder had been committed. The Cardinal of Prænestè had been stabbed.

By the believers and worshippers of St. Edmund, this was regarded, in after times, as a miraculous interposition of Providence. Edmund was inspired not to attend the dinner, that the eye of a man so holy might not be polluted by looking upon a deed, which the pope and the cardinals were not too holy to contemplate. How far the sarcasm was perceived, or intended, when the story was first promulgated, it is impossible to say.

The archbishop returned to England with a heavy heart. In all the cases brought before the courts of Rome, Edmund was condemned with costs,—amounting to a thousand marks. He had spent his money freely, both from his love of hospitality, and from his desire to uphold the dignity of his office, at a time when the vulgar mind of rich and poor, of high and low, attached dignity to external pomp and show. He was, therefore, under pecuniary difficulties, and the prospect

before him was gloomy. He received information that Otho, wearied out by the difficulties of his position, and, having amassed considerable wealth, had wished to resign his office; but that he, with reluctance, consented to remain in the country, at the urgent request of the king, for the express purpose of opposing and humiliating Edmund.

In June, 1239, a prince was born—an infant hero—for that prince became Edward I. It was in perfect consistency with Henry's character, that his eldest son should receive the name of one, who, however undeservedly, was regarded as the type and model of a constitutional king. Henry had been taught to regard Edward the Confessor, as the greatest of his predecessors, and was led to pay to him, as an English saint, peculiar honour. Moreover, Henry was not utterly void of the national spirit, which was, in England, the spirit of the age. Give him money, and let him enjoy the society of his friends,—that is, let him do in politics, as he did in religion, sacrifice the principle and overlook the end,—and he would dreamily indulge the sentiment. The legate and the foreign courtiers were not unwilling, that something should be done to smooth down the irritated feelings of the people they came to plunder. But there was no inclination or attempt to conciliate the archbishop. It pertains to the primate's office, to superintend the spiritual concerns of the royal family; the precincts of the palace were regarded as one of his peculiars. We have seen a controversy upon this subject, in the reign of Henry I. But now the legate was invited to officiate at the christening of the young prince. Edmund was singularly yielding, when a controversy was raised in regard to anything merely personal; but he could not but resent an insult offered to the high office he held.

CHAP. III.

Edmund Rich. 1234–40.

That he remonstrated, there can be no doubt, and it is certain that the sacrament of baptism was administered by the legate. But there was evidently a compromise. The legate was only a deacon. A deacon could baptize, but not administer the rite of confirmation, which had, at the late council, been dignified by the title of a sacrament. It was, therefore, arranged, that the deacon should baptize the infant, and that, the infant being at the same time confirmed, the confirmation should be administered by the primate.*

From this time, the archbishop felt that his power, as a politician, was at an end. The patriotic party was, for a season, overpowered; and the legate's whole object was to crush the archbishop.† The good primate, nevertheless, acted, though meekly, yet with a becoming spirit. The monks of Canterbury were still his opponents, encouraged by the court and the pope. We cannot enter into particulars; we will only remark, that, the archbishop again showed his firmness, by placing the monastery, in defiance of king and pope, under an interdict.

The archbishop, excluded from politics, now turned his mind to correct a great and increasing evil. During the vacancy of a diocese, or an abbey, the income of the estates, by which they were sustained, was enjoyed by the king. It was, therefore, an object with the king, to keep the benefice vacant as long as possible,

* I infer that there was a compromise on this occasion; because it was not usual, at this time, to administer confirmation immediately after baptism, though, if a bishop were present, it may have been usually done. I find in the "Speculum Ecclesiæ," of Edmund, c. xiv., a rule, that a child may be confirmed at five years of age, but he must be previously instructed. "Parentes debent se custodire ne ipsimet teneant suum infantem coram episcopo ad confirmandum."

† "Quos enim ligaverat, legatus contra suam dignitatem malo suo absolvit et e converso."

and every impediment was offered to a new appointment. The chapter could not elect without a *congé d'élire*. The *congé d'élire* must be granted by the king himself, and the court might be in some distant part of the country. When, after delay, though without much difficulty, the *congé d'élire* was obtained, some time must elapse before the election could actually take place. The court must be revisited. The nominee of the chapter might be rejected; so that the whole process of election would have to be gone through again. A misunderstanding between the king and the chapter would be submitted to the arbitration of the pope. By the judgment of the pope, when once obtained, the king might refuse to abide, and so he would still retain the temporalities. During all this time, the Church would be without a bishop, the abbey without a ruler.

To devise a remedy for this evil, the archbishop addressed his mind. He called to his counsels one of the most distinguished jurists of the age, Richard de la Wych, who was afterwards Bishop of Chichester, and canonized. He is the St. Richard of Chichester, whose bones, though displaced at the Reformation, still rest not far from the place where these lines are written. Richard was appointed chancellor of Canterbury, and, by his legal wisdom, he was able to advise Edmund, while Edmund's piety gradually led Richard on from the law to the Gospel. The result of their joint consultations was, the suggestion, that, after a vacancy of six months, the nomination of a bishop to a vacant see, should lapse to the archbishop. The lapse was not likely to occur often; but the possibility of its occurrence would secure a speedy election and appointment.

The proposal was violently resisted by the king:

CHAP. III.

Edmund Rich.

and though, at first, favourably entertained at Rome, was finally rejected by the pope, through the influence of the legate.

1234–40. The progress of papal exactions in this weak king's reign, is worthy of note. Otho, in 1225, demanded, by way of procurations, two marks from every convent in the kingdom. In the following year, he made a further demand, of two stalls, in every cathedral and conventual church. The order for procurations was followed by an order to pay a tithe of all personal property towards the crusade against the emperor ; and this, in 1231, by five papal reservations ; by which the bishops were forbidden to exercise the right of presentation, until provision had been made for five unknown Romans. The barons united with the bishops, and not only supported the prelates in their rejection of the mandate, but forbade the farmers of benefices, held by aliens, to transmit to them their revenues. The king, however, backed the legate, dividing the spoil with him.

The archbishop continued his opposition. He was known to be the head of the national party, the enemy of the aliens. The pope was, therefore, to be brought down upon him, and he received the following letter ; the tone of which is offensive to every rightly-constituted mind :—

" Gregory IX. to the Archbishop of Canterbury.

" It pertains to the pastoral office, that, after the example of the True Shepherd, as being the corner stone, you conjoin the extremities, and of those who are diverse form one. Wherefore it behoves you, and is expedient that, embracing in Christ all the aliens residing in the realm of England, and others, of whatever nation they may be, by sedulous exhortations and solicitations, you lead them to mutual charity, that as by them the assistance of one prince is invoked, so, by the bond of love, and the same inclination of mind, they may

become one people. It appears that it will be necessary, also, and useful, that you admonish more carefully, and exhort the natives of the kingdom aforesaid, that they take it not amiss, if aliens residing amongst them attain honours there, and benefices, since, with God, there is no acceptance of persons, and with Him, in every nation, he who worketh righteousness is accepted. It is consistent also with your honour, that, with spiritual love and benevolence, you urge all in the said realm, from whatever place they may be, whom you know from their course of action to be zealous for the honour of our most dear son in Christ, the illustrious king of the English, by exhorting them more diligently to fidelity and royal devotion. We admonish, therefore, your brotherly kindness, enjoining you by apostolic mandate, in order that you may in such wise shape your conduct in these and other respects, neither turning to the right hand nor the left; that the odour of good opinion which has reached the holy see concerning you, may be actually realized, and that we, having received worthy fruit of your sincerity, may rejoice in having found in reality, what in hope we had conceived, since, as we ardently desire in every way the tranquillity of the said king and kingdom, we propose to keep watch against those who may happen to be found culpable in the matters before-mentioned.*

"Given at the Lateran. April 3, an. 8."

This was bad enough, but, worse than this, a papal brief, in 1240, arrived in the country, addressed to the Archbishop of Canterbury and the Bishops of Lincoln and Salisbury, in which they were required to provide for 300 Roman clergy, out of the first vacant benefices;† and that the pope, whom the people regarded as demented,‡ was in earnest, was proved by the fact, that when Mumalinus, one of Otho's clerks, who had been sent to Rome, with the spoils of the English,

* Royal and Historical Letters. Henry III. i. 556.

† Mat. Paris, 532.

‡ "Unde stupor magnus," says the historian, "corda hæc audientium occupavit, timebaturque quod in abyssum desperationis talia audens (the pope) mergeretur."

CHAP. III.

returned to the country; he brought with him twenty-four hungry Romans, demanding preferment.

Edmund Rich. 1234–40.

The primate now felt that his occupation was done. It seems strange to us, that he did not see it to be his duty to remain in his diocese, there to perform the functions of his episcopal office; but the anxieties of office had enfeebled Edmund's health, never robust. The episcopal duties, as we have seen, might be performed by deputy; and feeling, that he could be no longer useful as a ruler of the Church, or as the first peer of the realm, he thought only of perfecting his soul for the great change which could not be far removed. He would have been a braver, a greater, perhaps a better man, if he had remained at his post; but he was a good man, and, therefore, he acted as he thought right. He did not resign his archbishopric; because, with his chapter demoralized and under an interdict, and with both king and pope against him, his resignation would have betrayed the Church into the hands of her enemies. But he determined to retire. His retirement would be a protest, and a remonstrance; and if the national spirit should again be roused, he would be prepared to act as another Langton; or, as he thought, in the spirit of St. Thomas of Canterbury, the patron saint of his church, as he had, in fact, become. No two men could have been more different, in point of character, than St. Thomas of Canterbury and St. Edmund of Pontigny; but this did not occur to the mind of Edmund. He imagined, in his dreams, and his attendants openly declared, that he had seen, visions of St. Thomas, who encouraged him in the course he was predetermined to take. The saint had even permitted, it was said, the holy Edmund to touch the wounds upon his head—an unpleasant, though consolatory, operation.

The archbishop applied to the king for permission to

leave the country, and the permission was not granted. The king desired his departure, but he desired, still more, the possession of the revenues of his see. These would be sequestered, and applied to the king's use, if the archbishop quitted the country without the king's sanction.

The object of the court, in opposing his departure, was known, of course, to the archbishop, and he acted accordingly. He made no secret of his intentions, but permitted his departure to assume the appearance of a flight.

He fixed upon Pontigny as his place of residence, on the Continent. The abbey, which had afforded an asylum to Thomas à Becket, and to Stephen Langton, was allied to the see of Canterbury by reasons substantial, as well as sentimental. Stephen Langton, in his gratitude, had saddled the estates of Canterbury with an annual pension to the monks of Pontigny of fifty marks; and the pension had been raised by Edmund himself to sixty, in the year 1238.*

The hagiographers, who represent the flight of Edmund from London as clandestine, introduce one of those dramatic scenes, with which legendary stories abound. Although the archbishop is said to have quitted the metropolis clandestinely, to avoid the police, yet he turned round, when he had ascended a hill, which looked down upon the city; and, having pronounced a solemn benediction upon his much-loved country, gave utterance to a malediction, as solemn, upon the Countess de Montfort. This is so much more in accordance with the malevolent feelings of a legendary zealot, than with the general character of Edmund, that we may be permitted to hope, that the story is not true.

* This pension was regularly paid until the Reformation, under Henry VIII. "Histoire de l'Abbaye de Pontigny." Auxerre, 1844.

CHAP. III.

Edmund Rich. 1234–40.

Edmund proceeded to the Sussex coast, for the purpose of embarkation, and took up his abode at his manor of Slindon, where Stephen Langton died. Here he was waited upon by Howel-ap-Ednevet, who had been elected to the see of St. Asaph, and now sought consecration from the hands of the archbishop. We have before observed, that no consecration could legally take place, except in Canterbury Cathedral, unless a dispensation had been first obtained from the chapter. In the time of Anselm, a consecration had taken place at Pagham, within six miles of Chichester, because the monks of Canterbury, afraid of establishing a precedent, would not issue a licence, that it might take place in Chichester Cathedral. The chapter of Canterbury was now, however, under suspension. The archbishop could not, therefore, apply to them for a dispensation. At the same time, he wished to avoid giving unnecessary offence, by performing the office in any other cathedral. Howel-ap-Ednevet was consecrated in the chapel, or the parish church, of the priory of Boxgrove.*

* Letter in Reg. Cant. Boxgrove, anciently called Boxgrave, and, in Domesday Book, Bosgrave, an alien priory, was founded between the years 1117 and 1135, in the reign of Henry I. The founder, Robert de Hain, was called, in the registry of the priory, "consanguineus ejusdem regis." It was originally founded for three monks only. The number of brethren never exceeded thirteen, and, for some time before the dissolution, it received only nine. Of the building in the time of Edmund, there remain, in parts, the transepts, the arches of the chapter-house, and, perhaps, the lower range of the eastern portion of the nave. See "History of Boxgrove Priory," by Rev. J. L. Petit. The church is under repair and restoration, through the munificence of the Duke of Richmond, to whose zeal, energy, and generosity, the dean and chapter of the neighbouring cathedral are indebted, for the hope they entertain, of seeing the spire of the cathedral once more the glory of their county, and a beacon to grateful sailors.

The French Queen, Blanche, the mother of St. Louis, brought her sons to the coast, to receive the blessing of Edmund, on his arrival in France. In France, he was as much honoured for his piety, as he was beloved in England for his patriotism. The queen was desirous of obtaining the services of the archbishop, as a counsellor to the young king; but, in addition to other considerations, Edmund's shattered health would have prevented him from undertaking duties, from which he could not shrink, when they came in his way; but for the discharge of which he was not especially qualified, either by his genius, or by his education. It is a curious coincidence, that the office declined by Edmund was afterwards accepted by his rival Otho, who, as we have before remarked, attended Louis, when that great monarch undertook the seventh crusade.

Accompanied by Richard, his chancellor, Edmund arrived at Pontigny, where he was welcomed with grateful hospitality by the brethren. The house which Thomas à Becket once occupied, within the precincts of the monastery, had been repaired, and was placed at the disposal of the archbishop; but Edmund regarded himself as unworthy to occupy a place, which was sanctified as the former abode of St. Thomas the Martyr. He only asked to be received as one of the brethren; and having, in one of his stirring addresses from the pulpit, made known his wishes, he was accommodated with a cell in the monastery, on the condition, that he would concede to one of the brethren the honour of acting as his servant. This, his increasing infirmities seemed to demand.

The short time that remained of Edmund's life, was spent in that peace and quietness which he dearly loved. Worldly cares were dismissed from his mind. His abstemiousness had become, from long habit, so

CHAP. III. Edmund Rich. 1234–40.

great, as to appear miraculous. But it was bringing him to the grave. His debilitated stomach refused to take sufficient food for his support. Still he was strong enough to preach, and was reminded of his happy, useful days, at Salisbury, when people flocked from all quarters to hear him.

Later writers state, that he here, and now, composed his "Speculum Ecclesiæ," but this could not have been the case. A very short time elapsed between his arrival at Pontigny, and his death. The "Speculum Ecclesiæ" is a work which required some time for its composition. He probably completed it at Pontigny, and for the first time published it, by reading it to the monks.* It contains the following chapters:—

"I. Quomodo debet homo respicere statum suum.
II. Quid est perfecte vivere.
III. Quæ faciunt hominem sanctum.
IV. De beneficiis Dei.
V. Qualiter homo debet expendere tempus suum.
VI. Quomodo homo debet contemplari Deum in qualibet creatura.
VII. Quomodo homo debet contemplari Deum in sacra scriptura.
VIII. De VII. peccatis mortalibus et eorum speciebus.
IX. De VII. virtutibus evangelicis.
X. De VII. donis Spiritus Sancti.
XI. De X. Præceptis Dei.
XII. De Fide, Spe, et Caritate.
XIII. De XII. Articulis Fidei.
XIV. De VII. sacramentis.
XV. De IV. virtutibus cardinalibus.
XVI. De VII. operibus misericordiæ.
XVII. De VII. petitionibus orationis Dominicæ.
XVIII. De dotibus corporis et animæ, et de pœnis inferni.

* The "Speculum Ecclesiæ" is in La Bigne's edit. of "Bibl. Pat." Col. Agrip. 1618. Lugd. 1677.

XIX. De contemplatione Dei in humanitate suæ.
XX. De Nativ. Domini et captione ejus, ad matut.
XXI. De Illusione et Resurrectione, ad prim.
XXII. De Adv. Sp. S^ci. et de Flagellatione, X^i. ad tertiam.
XXIII. De Incarnatione et Crucifixione.
XXIV. De Morte et Ascensione, ad nonam.
XXV. De Cœna Dni. et Depositione de Cruce, ad vesp.
XXVI. De Sudore Sanguineo, et sepultura Dei, ad complet.
XXVII. De Contemplatione Dei quantum ad suam Divinitatem.
XXVIII. Quomodo Deus est una Substantia, et tres Personæ.
XXIX. De III. gradibus contemplationis animæ.
XXX. Quid est vivere honorabiliter, amicabiliter, et humiliter."

In this work the archbishop defines the pains of hell to be the converse of heavenly joy. "In cœlo septem dotes habebis . . . Captivi utique in inferno miseri positi habebunt omnia istis contraria." These *istæ* are beauty, agility, strength, freedom, joy, health, endless life, of body; and wisdom, power, honour, security, concord, joy, friendship, in soul.*

He says that the petition, "Thy kingdom come," is a prayer for those in purgatory.†

On baptism, he insists on the matter and form, and mentions conditional and lay, or woman's, baptism. The child, if thus baptized, is not to be dipped, "ne ponat puerum in aquam." "Qui tenent puerum ad fontem" are to teach him the Creed, and the Lord's Prayer, as no one can be saved but by baptism and faith.

The Eucharist is consecrated "per virtutem verborum ab ore Sacerdotis prolatorum."

Matrimony, instituted in Paradise: marriages "non possunt separari, nisi per judicium S. Ecclesiæ, aut per mortem."

* Cap. xviii. † Cap. xvii.

CHAP. III.

Edmund Rich. 1234–40.

"Unctio alleviat infirmos in periculo mortis a pœna corporali et spirituali." *

Creed :—

"Ut nos redimeret ab infernali captivitate anima sua descendit ad inferna, cum Deitate, corpore manente in sepulchro, et extraxit secum animas quæ in terra fecerunt suam voluntatem." †

Commandments :—

"III. A man may lawfully swear before the king, and other men, that truth may be preserved, and falsehood condemned—swearing in judgment, justice, and truth.

"IV. Sabbaths are Sundays, and Saints' days, and other Feasts ordained by the Church. Duty on these, to say matins at church, *sine garrulatione dulciter audire missam, et omnes horas dici ;* to hear sermon, if there be a preacher; to distribute to the poor, and say grace after dinner. Not to go to taverns, wrestlings (*luctationes*), or dances, and other vain games ; but to visit the sick, and finish the day in God's service.

"Murder is of the tongue, the heart, and the hand. The hand, by violence, or placing a man in prison, &c. ; the heart, by desiring his death, or not delivering him, if able ; the tongue, by commanding or inciting others." ‡

"The Saviour appeared five times in the day of Resurrection, and five times after." §

"Deadly sins :—

"Pride, the love of one's own excellence, has seven vices :—1. Disobedience to God. 2. Braggartry. 3. Hypocrisy. 4. Despising others. 5. Arrogance. 6. Shamelessness. 7. Delight in his own evil. Pride issues from goods of *nature,* beauty, birth, strength, mind ; *fortune,* knowledge, virtue, gracefulness, reputation, rank ; *temporal,* food, dress, house, possessions, servants, honour, equipage.

"Envy may be in heart,
„ mouth,
„ work.

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* Cap. xiv. † Cap. xiii. ‡ Cap. xi. § Cap. xxi.

Pride takes from him God,
Envy „ man,
Anger „ Himself. } despoil him.
Idleness torments.
Avarice topples over headlong.
Appetite deceives.
Luxury enslaves." *
"The remedies are :—

Poverty of spirit	Pride.
Meekness	Envy.
Mercy	Avarice.
	(Which is unmerciful).
Purity of heart	Appetite.
Peace-making	Luxury.
Hunger and thirst for righteousness .	Idleness.
Mourning	Anger." †

The "Speculum Ecclesiæ" occurs in Old French of the thirteenth century, in Arundel MS. 288, p. 207, fo. 335, and in Harl. MS. 106.

Saint-worship was, in this age, carried to the height of extravagance, the whole tone of religion being, more or less, influenced by the prevalent ideas of feudalism and chivalry. We have seen how Edmund, while yet a youth, wedded himself to the Virgin Mary ; and to St. John the Evangelist, on the ground that to him our Lord commended the care of the Blessed Virgin, at the Cross, he had a special devotion. A prayer of St. Edmund, as he was called after his canonization, is preserved in the British Museum. It is a document of some importance, as showing the character of the devotion of the age, and it is, therefore, presented to the reader in a translation :—

"O holy and blessed John, Apostle and Evangelist of God, who wast, as a Virgin, chosen by our Lord, and wast by Him

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* Cap. viii. † Cap. ix.

CHAP. III. Edmund Rich. 1234–40.

more beloved than others, obtain from the Lord for me that gift which was vouchsafed unto thee, that my latter end may be happy and exemplary; grant that I may finish my course, sound in faith, in sure hope, in peace and charity with all men; with my mind clear, and with sufficient bodily strength, to make my confession unto salvation, to receive the viaticum and extreme unction, and with an earnest desire to see the adorable face of our Lord Jesus Christ." *

The climate of Pontigny disagreed with Edmund, and he suffered much from the heat. He gradually became weaker and weaker, and the physicians recommended change of air. He was unwilling to move, but obeyed orders, and went to the priory of Soissy, near Provins. To the monks of Pontigny, he had become a friend, and they lamented his departure. He said to them, in pleasantry, "I will return on the feast of St. Edmund the king. The summer heats will then have passed away."

On that day, the 20th of November, he did return —a corpse.

The sensation caused by his death, both in France, and in England, is not to be described. As he went to Soissy, multitudes had flocked to see the pious opponent of kings and popes. As the dead body was brought back, men, as well as women, prostrated themselves before it, as before the relics of a saint.

Anecdotes were told of him. One was, that, when the good Prior of Soissy brought to him a basket of figs, and recommended them as a wholesome medicine, pleasant to the taste, the archbishop smiled, and said, that, many a long day had passed, since food, pleasant to the taste, had entered his mouth. When he received the Holy Eucharist for the last time, he addressed his Saviour, and said, "Thou knowest, Lord,

* MS. Nero D. i. 78.

that I have believed in Thee, and preached Thee, and taught Thee. Thou art my witness, that I have sought none other than Thee, during the time of my sojourning here on earth. Thou knowest that I will what Thou willest, and, therefore, I say now, Thy will be done, for all things are in Thy power." His conduct at the last, was in accordance with the puerilities of his youth, or, rather, with the spirit of the age, when sentiment became sometimes childish, in the very persons, whose piety, when put to the test, was found to be manly. He asked for a crucifix. He washed it, and then drank the water, saying, "Ye shall drink water from the fountains of salvation." His brother watched over him to the last, and so did Richard de la Wych, and Bertrand. The first and the last were his historians. He would not take to his bed, as, for many years, he had regarded bed as a luxury, from which he abstained. But, when he could no longer sit on his hard, unstuffed chair, he stretched himself on the cold ground, and so he died, on the 16th of November, 1240.*

Pontigny was soon visited by pilgrims from England. It was whispered, that miracles were performed at his grave, and the expectants of miracles were easily convinced. It was the will of the people, that he who suffered for maintaining the cause of the people, and of the Church, against king and pope, should be canonized. It was the determination of the king and

* Modern writers follow Godwin, who makes his death to take place in 1242. But they are clearly in error. The authorities for his death, in 1240, are given in Anglia Sacra, i. 11. Others might be produced. Matt. Paris, however, is evidence sufficient. He places the death in 1240, and states that the sepulchre began to be famous for miracles in 1241. In 1241, the chapter of Cistercian Abbots began their proceedings for canonization. See Martene, 1771, 1772.

CHAP. III.

Edmund Rich. 1234–40.

of the pope, that their opponent should not be admitted into the number of the saints. It was a fair fight. Rome, for the time, became Protestant, almost Rationalistic. In answer to the popular demand, for the canonization of Edmund, on the ground of the miracles wrought at his tomb, it was said, that the age of miracles had ceased; that the holy see could no longer lend its sanction to superstitions; that the question was, not what miracles he may have wrought, but whether his conduct would stand the scrutiny of the day of judgment. "For my own part," said the cardinal, who signified the refusal of the pope to the applicants, for Edmund's canonization, "if it were not, that a general council has received the history and legend of St. Martin, I should not hesitate to say, that I do not believe that saint restored three persons to life. I cannot suppose, that our Lord Jesus Christ, who, Himself, when on earth, only raised the dead three times, could have granted so great a privilege to one of his servants."*

But the people were determined, that the name of every saint, whose reputed miracles had secured him a place in the canon, should be erased, if the name of Edmund were not added to the sacred list. The religious enthusiasm in France, was united with the political enthusiasm of the English, and was inflamed by that union of credulity with craft, which makes a deceiver sometimes his own dupe, and of which we

* Martene, 1848. This cardinal, when Rome yielded to the will of the people, and Edmund was to be canonized, professed to believe in the miracles wrought at Edmund's grave. This the hagiographers regarded as a proof that they were really wrought. The sceptical mind was persuaded. Less charitable persons suspect the cardinal to have been a Gallio, whose faith was closely connected with expediency.

cannot acquit the authorities of the Abbey of Pontigny. Miracles were demanded in proof of Edmund's sanctity. The people were determined, that they should multiply, until the pope should give way. When we are gravely told, that, through the powers inherent in the corpse of Edmund, thirty persons had been raised from the dead, we are not surprised, that, in self-defence, and, in order to apply some check to this excess of miraculous power, the pope, at last, gave in. When the personal feeling of hostility had subsided, there could be no reason, why that should not be done, which the devotion of the people, and the interests of the abbey, continued to demand.

Bertrand, to whom we are so much indebted, for his account of Edmund; and Richard, the archbishop's chancellor, were indefatigable in urging Edmund's canonization. Bertrand visited the various places connected with Edmund's life. They received a commission from Rome, to inquire into the facts of Edmund's history; and with them were associated the prior of Canons Ashby, near Eydon, in Northamptonshire, and Robert Bacon, a Dominican. When they had collected their materials, a new commission was issued to the Bishops of London and Lincoln. But the immediate act is to be traced to the piety, or superstition, of the pope himself. Innocent IV. feared, or pretended to fear, that the saint would take uncharitable vengeance upon the pope and his see, if the honours of canonization were any longer denied to him. The pope was seized, in the year 1246, with a disease in the kidneys. He soon after suffered tortures, from an obstruction, caused by a stone in the bladder. One day, when he had retired to his closet, he knelt down, and prayed to the blessed Edmund. He confessed that, swayed by the calumnies of envious

CHAP. III. Edmund Rich. 1234-40.

men, he had, in his folly, delayed the canonization, to which Edmund was justly entitled. He vowed, that, if his life were spared, he would cause the canonization to be celebrated in the most magnificent manner; and then he implored the saint designate, who had restored so many sick persons to health, to mitigate the terrible sufferings of the poor, afflicted pope. The story goes on to say, that Edmund granted the petition; and, that the grateful pope, who could no longer doubt the reality of our primate's miraculous powers, solemnly inscribed, in the catalogue of the saints, the name of the blessed Edmund, Archbishop of Canterbury, whom the Lord had distinguished with countless miracles. In the official document, the miracles of St. Edmund are recounted, and the church of Canterbury is congratulated on its production of another saint; or, in the figurative language of the pope, as yielding, from the threshing-floor of its church, so pure a grain, into the barns of the supreme King. Canterbury was said to be pre-eminent among the churches, as being adorned with venerable pastors; having been made red with the martyrdom of one, and white with the confession of another.

To the church of Pontigny, more substantial advantages were assigned. An indulgence was granted: and to penitents, visiting the shrine of St. Edmund, on his festival, was conceded, a remission of one year and forty days of any penances, which might have been enjoined to them.

And so Edmund of Abingdon became St. Edmund of Pontigny, at whose shrine the devout were seen to kneel, until, at the period of the French Revolution, the shrine was demolished, and the bones of Edmund cast abroad. To the historian, he is Edmund Rich; and the reader will not fail to mark the influence of

public opinion, even in an age, when, for the creation of a public spirit, the means were less powerful, than at a later period they became. Party would have honoured Richard Grant, by making him a worker of miracles. Party would have denied the honours of sanctity to Edmund. But no one would believe in the reputed miracle of the unpatriotic Richard; while all the world believed in the sanctity of Edmund, though kings and popes, till overcome by public opinion, were sceptics.

CHAPTER IV.

BONIFACE OF SAVOY.*

Son of the Count of Savoy.—Account of his Family.—Uncle of Queen Eleanor.—Sub-Deacon.—Elect of Bellay.—Appointed Archbishop of Canterbury through the Queen's interest.—Inclined to side with Patriots against the Court.—Visits in England.—His avarice.—Sides with Richard of Chichester against the King.—Proposed Visit of Pope to England rejected.—Council of Lyons.—Remonstrances of Church of England against the Pope.—Military Command of the Archbishop of Canterbury.—Influence of Boniface with the Pope.—Devoted to the interests of his party.—Taxes his Diocese to pay off the Debts of the Church of Canterbury.—Archbishop, after an absence of four years, returns to England.—Is enthroned.—His tyrannical visitation.—His violence at St. Bartholomew's.—Uproar among the People.—Meeting of Suffragans and Clergy to oppose the Archbishop.—Goes to Rome.—Adopts conciliatory measures.—Returns to England—Controversy with the Elect of Winchester.—Well received at Oxford.—Oxford in the 13th Century.—Joins the patriotic party in Parliament.—Threatens excommunication to all infringers of Magna Charta.—Rebuked by the King.—Attends funeral of Grosseteste.—Goes to the Continent.—Engages in Military affairs.—Consecrates a Bishop at Bellay.—Returns to England.—Opposes the Papal Nuncio.—Papal encouragement of Perjury.—Boniface summons a Synod in defiance of the King.—Social Progress.—Architecture.—Political insignificance of Boniface.—The Mad Parliament.—Oxford Provisions.—Change of Politics in Boniface.—The Legate Guido.—Patriotism of the English Bishops.—Award of Amiens.—Boniface plots against the Barons.—Perjury of King sanctioned by Pope.—Legate Ottobon.—Council of London.—First appointment of a Prolocutor.—Accompanies Prince Edward to Gascony.—Death at St. Helen's.

CHAP. IV. Boniface of Savoy. 1245–70.

If it were our desire to produce a contrast between two characters, we should look in vain for a stronger contrast, than that which is presented to us, in a com-

* Authorities.—The materials for a life of Boniface are as few as for the life of Edmund they are copious. They have been gleaned from Matthew Paris, and his continuator, compared with Matthew of Westminster, together with Birchington, and the Ann.

parison of the violent, warlike, and worldly-minded foreigner, whose history is now to occupy our attention, with the meek, and patriotic Edmund.

Boniface, one of fifteen children, was the son of Thomas, Count of Savoy. The Counts of Savoy were, at this time, beginning to assume a position of importance in the politics of the empire. Savoy had become, in the sixth century, a province of France, and remained so, until, in the ninth century, it was included in the kingdom of Transjurane Burgundy, which, in the year 933, was blended with Arles. In the tenth century, this kingdom became a portion of the empire, and was governed by counts, or earls, who were, at first, nominees of the emperor, but whose dignity and office, in process of time, became hereditary. The first person to whom was assigned the title of Count of Maurienne, was Berold, or Berthold.* At the beginning of the eleventh century, he had been appointed by Rodolph III. Viceroy of the kingdom of Arles. He

Burt. Mat. Paris was doubtless a party man, and by party men he has been unduly depreciated for his plain speaking. If he was on the national side, Matthew of Westminster was as decided a royalist. Valuable information has also been gathered from Grosseteste's Letters, Ed. Luarde and Adæ de Marisco Epistolæ, in the Monumenta Franciscana, ed. Brewer; together with the prefaces of the learned editors. Complaint has been made, that the history of England, in the middle ages, has not been written. We must make an exception in regard to the important reign of Henry III. Of this reign, under the modest title of The Barons' War, Mr. Blaauw has written a history, which may be regarded as a model of what such a history ought to be. He does not touch much upon ecclesiastical affairs. At the commencement of each chapter, I mention the authorities which form the basis of the life. The particular references are given at the foot of the page. My edition of Matthew Paris is that of Wats, 1684; of Matthew of Westminster, the folio of 1601.

* The Counts were Counts of Maurienne until 1111, when Amadeus II. was made Count of Savoy.

CHAP. IV.

Boniface of Savoy. 1245–70.

was created vicar of the empire by Henry II. The house of Savoy did not become ducal, till the year 1417; it became royal in 1713.

Thomas, the father of Boniface, had increased his patrimonial dominions, and had been a faithful adherent of the emperor, Frederick II. Three of his sons succeeded, in turn, to the earldom. Boniface was to seek his fortunes in the Church.

Boniface was known, after his consecration, as the handsome archbishop. He was one of a family, distinguished for its beauty. His sister, Beatrice, is described by Matthew Paris, as remarkable for her personal charms. She lived to see six queens, her descendants. Her daughters were Margaret, Queen of France, whose daughter became Queen of Navarre; Beatrice, Queen of Sicily; Sanchia, Queen of the Romans; and Eleanor, Queen of England, whose daughter became Queen of the Scots. To the fortunate circumstance, of his being uncle to the royal consort of Henry III., Boniface was indebted to his advancement, at an early age, to the Primacy of All England.

Of the early history of Boniface, I have not been able to obtain any particulars. It has been sometimes said, that he was a married man, and that he was a Carthusian. The two statements are scarcely consistent. It is unlikely that a warlike, worldly prelate, should have attached himself to the order, which was almost singular, at this time, for the strictness with which it adhered to a severe rule; but it is not improbable, that he was devoted or dedicated at the Chartreux when he was an infant. If he was a concubinary clerk before his consecration, as was generally believed, he put away his wife after he became archbishop, or did not bring her to England. At all events, she was never seen. The mob, on one occasion, railed against him as a married bishop,

but the charge was never seriously made. It is more certain, that, while he was yet a sub-deacon, he was, through the influence of Gregory IX., elected to the see of Bellay*—a measure, probably, of conciliation, either to purchase, or reward, some friendly communications between the House of Savoy and the Apostolic See. The grandfather of Boniface, Humbert III., had, indeed, been canonized for taking part with the pope, against the emperor, Frederick I.; but Thomas, the father of Boniface, had been notorious for his opposition to Pope Honorius III. But, however the fact is to be accounted for, a fact it is, that Boniface, while yet a youth, was, through papal influence, Bishop-elect of Bellay. The objections, therefore, to his appointment to the see of Canterbury, arising from his youth, from his want of learning, and from the fact of his being only a sub-deacon—not, as we should now say, in holy orders—these were all overruled; while the concurrence of the pope, to the further advancement of his *protégé*, might be confidently expected by the English court.

The impolitic zeal of the queen, in forwarding the interests of her family, and in thus forming, in England, a party hostile to English interests, is well known. Amadeus, her uncle, did homage to Henry for certain lands, for which he received large sums of money. Thomas, another uncle, was entertained by the king, with great splendour, and frequently received pecuniary aid from him. "The Savoy," in the Strand, still reminds us of the palace, which Peter, a third uncle, erected for himself, with English gold, on the banks of the Thames. And now, the see of Canterbury was to provide an income for Boniface. With foreign

* Bellay, or Belley, is at the southernmost corner of the Duchy of Burgundy, a few miles N.W. of Chambery.

CHAP. IV.

Boniface of Savoy. 1245–70.

sympathies, with a taste for war, contracted amidst the distractions of Northern Italy at this period, with the haughtiness and arrogance of a Lombard nobleman, with little regard for anything English, except our gold, Boniface came among us, as the chroniclers mildly express it, inferior to all his predecessors in the see of Canterbury. He came, at a time, when the minds of Englishmen were, with good reason, prejudiced against foreigners; and the prejudice increased, with the increasing anti-Anglicanism of the court, until rebellion became an act of patriotism. Besides the determination of the Queen Consort, to advance the interests of her family, the Queen Dowager, after a time, returned to England, eager to provide for her relations and friends. Among the foreigners themselves, in their struggle to appropriate English wealth, there were disputes; so that the court, at one time, was divided between king's men and queen's men; the dependents of Queen Eleanor, and the dependents of Queen Isabella. Each queen endeavoured to mould to her purpose, what Matthew Paris calls "cor cereum regis," the "waxen heart of the king," who appeared like an humble, though sometimes calcitrant animal, between two bundles of hay. The chroniclers and poets, of the period, had a constant theme of invective, in the swarms of Gascons, Poictevins, Savoyards, and Provençals, who, like locusts, arrived only to devour; and took flight, only when they saw no further prospect of satisfying their greed. It was not his foreign birth, however, that was the objection to Boniface. There was no hostility, as we shall see, to his election to the see of Canterbury on this account. He received the felicitations of patriotic men, such as Grosseteste and Adam de Marisco. The great leader, as he was destined to become, of the *English*, as distinguished from the *Royal*, or *Court* party, Simon de Montfort, was by

birth a foreigner. But when he was naturalised, as the Earl of Leicester, he made himself exclusively English. He renounced all his rights as a subject of the French king, from whom he withdrew his allegiance. He devoted his strong arm, and his yet stronger mind, to the service of his adopted country. He became the benefactor of that country, by creating a House of Commons. He was as true-hearted an Englishman, as was that noble-hearted prince, whose loss all England is deploring at the time that these words are written.

What was required of Boniface, was a renunciation of foreign obligations, and a devotion to the interests of England. Here he was found wanting.

But we must not anticipate. The court was all-powerful, when it had succeeded in driving St. Edmund from the country; when the barons, though discontented, were without a leader; and when the Commons' house of Parliament had not come into existence. The court, under the influence of the queen, determined that Boniface should be Archbishop of Canterbury, on the merits of his being the queen's uncle. But there were the usual difficulties in the way. The election, by the chapter of Canterbury, was first to be secured. The chapter, however, was scarcely in a predicament to elect. The monks of Christ Church had been excommunicated by Edmund. They had appealed to Rome. A commission had been appointed, to inquire into their case; and with power, at their discretion, to absolve the appellants. But a counter appeal had been initiated, by Simon Langton, Archdeacon of Canterbury, who accused the monks of falsifying the evidence, which a friendly commission had received as sufficient. Under such circumstances, it was intimated, that the king would throw all the weight of his influence into the scale of the monks, if, when they were absolved, they would elect the royal

CHAP. IV.

Boniface of Savoy. 1245–70.

nominee. The archdeacon knew, that the papal will would coincide with that of the king; and, being in extreme old age, he shrank from the fatigue of what he foresaw would be a fruitless journey to Rome. His opposition, therefore, was, after a time, withdrawn. A majority in the chapter was thus secured, although there was a powerful minority; some of whom, we are told, foreseeing the misery, which was in store for them, under such a superior as Boniface, left the convent of Canterbury, and became Carthusians.

A further difficulty presented itself, in the death of Gregory IX., between whom and King Henry, through the mediation of Otho, and a reciprocation of worldly interests, a close alliance had been formed. To meet this difficulty, the queen sent an autograph letter to the new pope, Celestine IV., in favour of her young relative. This was accompanied by a document, under the seal of the King of England, attributing to Boniface all the virtues, which an Archbishop of Canterbury ought to possess. An imperious mandate issued from the court, by which the bishops, and other dignitaries of the Church of England, were required to append their names to this document. To this, the patriotic party demurred. But, at length, through the threats of the king, and the persevering entreaties of the queen, a majority of signatures was obtained, though the signataries made no secret of their acting with reluctance.

This labour, however, was rendered abortive, by the unexpected death of Celestine, and the consequent confusion of affairs at Rome. The cardinals were dispersed. Some of them were in concealment; and only six remained in Rome, to conduct the routine business of the State and Church. The Roman curia was almost in a state of dissolution. Disunion and discord prevailed to such an extent, that, as Matthew Paris observes, in

the absence of love, the Sacred College was as a lump of sand without lime.

Boniface, in the meantime, conducted himself with great discretion; and, on the accession of Innocent IV., the new pope, willing to conciliate the King of England, and to confer an obligation on the House of Savoy, confirmed the election of the Queen of England's uncle to the see of Canterbury.

The archbishop elect appointed Richard de la Wych (St. Richard of Chichester) to be his chancellor; a politic measure, as Richard, the friend and adviser of the late primate, was the representative of the patriotic or national party. Although he owed his preferment to the court, Boniface thus gave proof, that it was not his intention to become a mere tool in the hands of the party now dominant. His inclination to the patriotic party occasioned, no doubt, the congratulatory letters he received from Grosseteste and Adam de Marisco. By them he was urged to exercise his influence with the king, in favour of William de Ralegh, Bishop of Norwich, who had been elected to the see of Winchester, in opposition to the declared wishes of Henry.

William de Ralegh, or Raleigh, was an eminent lawyer, who, about the year 1228, was nominated a justiciar at Westminster.* He was employed to open the Parliament of 1237, when he induced the barons to grant a subsidy to the king. With the king, he was in high favour, until the death of Peter des Roches, Bishop of Winchester. William de Ralegh had been consecrated to the see of Norwich, in September, 1239.

* Foss, ii. 448. Fines were levied before him, in this character, from Michaelmas, 13 Henry III., 1228, till 18 Henry III., 1234. In the years 1229, 1231, 1232, he performed the duties of Justice Itinerant, or Assize Judge. After 1235, there is no instance of his acting as a judge.

CHAP. IV.

Boniface of Savoy. 1245–70.

The see of Winchester was, at that time, vacant. The king endeavoured to compel the chapter to make choice of William, Bishop elect of Valencia in France, another of the queen's uncles, who had attended her to England, and who had gained much influence over the king's mind. The chapter, however, was determined to reject the foreigner, and postulated the Bishop of Norwich. The king now, with his usual unreasoning impetuosity, persecuted Ralegh, and compelled him to fly the country.

For several years, in consequence of this controversy, the important see of Winchester, to the advantage of the royal coffers, was kept vacant. To this state of things, Grosseteste entreated the elect of Canterbury to put an end.* To the same purpose, Ralegh himself wrote, having first tendered his canonical obedience to the new primate. The letters, addressed by Boniface to the Bishop of Norwich, and to the king, on this subject, still exist; and so earnest was he in the affair, that he sought, also, to obtain the good offices of the Bishop of Hereford† in Ralegh's behalf. William of Valence being now dead, the archbishop succeeded in winning back the king's heart towards his old friend; and, at the consecration of Beaulieu abbey, a short time after, we find Henry honouring the bishop of Winchester, by becoming his guest; and, at the same time, taxing his purse, by permitting him to entertain his court.

The elect of Canterbury was not in the best possible humour with the court. During the sequestration, the estates of the archbishopric had been heavily taxed; and, when Walter de Gray, Archbishop of York,‡ was

* Grosseteste Epp. ed. Luard, Ep. xxxvi. p. 271.

† For an account of Peter d'Aquablanca, the Bishop of Hereford, see *infra*, p. 247.

‡ For an account of Walter de Gray, see *supra*, p. 193.

left regent of the kingdom, that prelate so completely merged the ecclesiastic in the statesman, that he showed little consideration for the tenants of the sequestered sees. In 1242, he forwarded to the king, then at Bourdeaux, ten thousand measures of corn, five thousand measures of oats, and as many bacons, together with a large sum of money; all the produce of manors attached to the see of Canterbury, and other vacant bishoprics.*

This induced Boniface to visit England before his consecration, that, as soon as he had been invested with the temporalities, he might regulate his worldly affairs. Spiritual matters might be deferred. He denounced the expenditure of his immediate predecessors as reckless; and found the see to be involved in an immense debt. He immediately commenced a sweeping reform, and enforced a rigid economy in every department. He abolished sinecures, and dismissed all the officers of the archbishop's court and household, who did not earn their living or their salaries by their work. He stood in the relation of abbot to the convent of Christ Church; and here he interfered in everything, having, says Matthew Paris, whose sympathies were always with the monks, more regard for his own convenience, than to the reason of the case. He sold all the timber on the archiepiscopal estates. He directed, that, to meet the exigencies of the see, and gradually to liquidate the debt in which it was involved, forced payments should be made, not only from the tenants, but from the clergy of the diocese. He insisted, that the whole province was interested in the honour of the metropolitan and his church; and, pleading his unfortunate circumstances, he made no secret of his determination to obtain extraordinary grants. In short,

* M. Paris, ad ann. 1242.

CHAP. IV.

Boniface of Savoy. 1245–70.

the poverty of the see was the wealth of Boniface. It afforded him a plea for exactions, in enforcing which, he soon made it the interest both of the king and of the pope, to give him their assistance and support.

In addition to his anger with the court, for the manner in which the property of the archbishopric was dealt with, during the sequestration, he was too proud and independent, as a man of noble birth, to succumb to the king; when, to the interests of the king, his own inclinations were opposed. He took part, therefore, with his suffragans against King Henry, when the attempt was made to force Robert Passelew into the see of Chichester; rendered vacant, in 1244, by the death of that distinguished statesman, and benefactor to our church of Chichester, Ralph de Neville. Robert Passelew was an unscrupulous lawyer, who had won the royal favour, by setting all law at defiance, whenever he had an opportunity of augmenting the royal revenue. Hence the real ground of opposition to him was, that he belonged to the court party, the majority of the suffragans being among the patriots. The opposition to Passelew was a party movement. He was said to be an unlearned man—unlearned as a theologian. This charge could not seriously be brought against him by Boniface, who was in the same predicament, and who treated this objection, in his own case, as unworthy of consideration. Passelew was a forest judge. But this, again, could have been no valid objection to the suffragans, who prided themselves upon their legal acquirements, and whose ambition it was, to procure or retain judicial appointments. One of the very few who really wished to convert ecclesiastics from lawyers into theologians, was Grosseteste, the Bishop of Lincoln. On this point, as in many others, his opinion coincided with that of Roger Bacon, and the Franciscans. To him, therefore,

the chief management of the controversy was confided. The dean and chapter of Chichester, I am sorry to say —Walter, the dean, being just dead, and Thomas, of Lichfield, having succeeded to the decanal stall—had yielded to the wishes of the court; preferring loyalty to the king, to the interests of their country, which the unloyal king was betraying to foreigners. But, although the election was in favour of Passelew, it would be invalid, unless it were confirmed by the archbishop. To obtain the favour of the archbishop, the learned, pious, and patriotic chancellor of Canterbury—afterwards St. Richard of Chichester—was brought forward as the rival of Passelew. Boniface now only required, that a reason should be assigned for his refusing to confirm the elect. It was determined to take advantage of the usual form of examination, to which Robert Passelew was to be subjected. Grosseteste was to be the examining master. The unfairness of the examination perplexes Pegge, who, in his life of Grosseteste, thinks it part of a biographer's duty to represent his client as faultless. That the examination was not a fair one, is sufficiently clear; but it was not intended to be such. All persons knew, that Passelew was forced upon the chapter by the king, from party motives; and from party motives, Richard de la Wych was pressed upon the dean and chapter, who received the pressure with complacency. It is always pleasant to be forced to do what you wish to do, but what, until pressed, you dare not attempt. But this could not be made the assignable reason for the rejection of Passelew. He was proved, therefore, to be less competent for the episcopal office, than the primate himself; and Richard, who, already distinguished as a lawyer, had, for some time, devoted himself to theological studies, was elected by the dean and chapter. The archbishop undertook to

CHAP. IV.

Boniface of Savoy. 1245–70.

confirm the election. The king of England appealed from the Primate of All England to the pope.

An opportunity for presenting the appeal soon occurred. The summons to a general council, to assemble at Lyons, was already in England.*

Of the Council of Lyons, it is not necessary for me to speak in detail. The reader may be referred to the ecclesiastical historian for information on the subject; and the character, as well as the general proceedings, of the council, are given by Dean Milman, with his accustomed vigour, precision, and eloquence. He, however, was not called upon to bestow more than a passing remark on certain incidental circumstances, which, not considered very important at the time, fall within the scope of the historian of the Church of England, and of the biographer of the Archbishops of Canterbury.†

The council sat from the 28th of June to the 17th of the following July. It assembled at Lyons, because Lyons had become the abode of the pope, when he fled from Italy. Sinabaldo di Fiesco, of Genoa, had been aided, as might be expected, by the Genoese, in his flight, at a time when he, who was compelled to fly from his enemies, was meditating, against those very Genoese, an exertion of the papal power, such as had not been attempted, with any probability of success, since the time of Innocent III. The pope had applied to France, to Arragon, and to England, for an asylum, which the monarchs of those countries, in a wholesome fear of the people, were unable to grant. Some of the cardinals had addressed the King of England, and had, in confidence, informed him, that they had heard the pope affirm, that few things would give him more pleasure, than to

* Fœdera, i. 258, ed. 1816. This summons is addressed to abbots and priors.

† Milman, iv. 323.

be a witness of the splendours of Westminster, and the wealth of London. They suggested that such an honour, as that of receiving for his guest "the father of all fathers," would add fresh lustre to his reign. Henry revelled in the thought of the festivities, which would ensue from such a visit, and he was not the man to count the cost beforehand. But the counsellors of the king, whether lay or spiritual, were in no humour to receive the pope. They declared that the kingdom had been sufficiently polluted by his representatives and agents, under whatever title they came; by the usury of the Caursines;* the robberies of the Romans; the simony of the Italians. The stench of the court of Rome was, they said, already sufficiently nauseous.†

The pope, thus rejected by the Western Powers, had taken refuge in Lyons, an independent city, governed by its archbishop, who was persecuted, first into a begrudged hospitality, and then into a resignation. At this city, a general council was convened, with the ostensible purpose of debating upon the general state of Christendom; of taking measures for the preservation of the Holy Land, and of the Byzantine Empire; of deliberating upon the repulsion of the Mongols; and of sanctioning the proceedings, already instituted by the pope, with a view to terminating the controversy between his holiness and the Emperor Frederick II.‡

* Caursines, or Caursini, a set of Italian merchants, infamous for usurious contracts.

† M. Paris, ad an. 1245, p. 576. Infamia enim Curiæ Papalis id promeruerat, cujus fœtor usque ad nubes fumum teterrimum exhalabat.

‡ Döllinger, iv. 57. This council is called, by Roman writers, the Thirteenth General Council. Its acts are to be found in Mat. Paris, Mat. Westminster, in Mansi, xxiii. 65, in Labbe and Cossart, xi. 633. But Delahogue, de Eccles. p. 278, says, that its authority, as an œcumenical council, has been disputed. Onuphrius, who lived in the sixteenth century, was the first who gave it the title of a general council.

CHAP. IV.

Boniface of Savoy. 1245–70.

It was well known, however, that the last was the only real object of the convention, together with the adoption of measures, to supply the pope with the sinews of a war, which he pronounced to be holy. The pope had determined to repeat, with the assent of the Church, the sentence of excommunication and dethronement, which he had already pronounced. The emperor was, accordingly, put under the ban, deprived of his kingdom, dignities, and powers, and the electors were required to proceed to a new election.

If we have regard, only, to the assembly at Lyons; when we compare the grandiloquence of the summons addressed to the kings, prelates, and princes of the universal Church, with the result, in the attendance of 140 bishops; we must regard it as a failure. But the range of the eye is limited, and, until the acts of the council were recorded, and the names of those who attended were presented to the world, the *tout ensemble* of all the dignitaries, with their respective retinues, must have been impressive, and the pope was careful to attend to everything, which could add to the imposing effect of the occasion. He had lately created new cardinals; and these, forming, as it were, his privy council, appeared, wearing their new court dress, being arrayed, for the first time, in their crimson hats, with the tassels attached. The Greek Church was not, really, represented; but there appeared the Latin patriarch of Constantinople, while the patriarch of Aquileia represented the Church of Venice. But the moral grandeur of the assembly, was, in truth, the magnificent, though terrible, old man, who, powerless in what related to a carnal warfare, still claimed to be—and the claim was not yet rejected—the representative of omnipotence; and, who felt, therefore, certain of success. Deceiving, and deceived, he thought himself—and, in the

power of that thought, he compelled others to believe—that he was acting under infallible inspiration.*

The English had already acquired that characteristic of our race, which has contributed much to our greatness—a quiet determination to urge national interests, and a secret conviction, that, in the welfare of our nation, the welfare of all other nations is represented, or involved. The pope was offended, and surprised, by the perseverance of the representatives of England, in forcing upon the council a notice of those grievances, of which they were commissioned to complain. They were well aware, that they should obtain an attentive hearing, on the part of the council, since a similar list of gravamina might have been produced by any of the Churches and nations, whose representatives had, unwillingly, obeyed the summons to Lyons.

We must revert to some antecedent facts. As soon as it was known in England, that a general council was convened, it was determined to appeal to the council against the pope—a measure, before the age, in the thirteenth century, though universally adopted in the fifteenth. We have not space to enter into a detailed description of the extortions and cajoleries, the menaces, falsehoods, perjuries, and forgeries, of which the nuncios, and other agents of Rome, had been guilty, under the ministry, first of Pandulf, and then of Otho. The last-named legate, by flattering the weakness, and bribing the cupidity of Henry, had secured the royal protection for the factors of papal extortion, until the king was as much despised, as the pope was hated, throughout the land, by the clergy, even more than by the laity. For particulars, the reader must be referred to Matthew Paris, and to

* The denunciations against Frederick may be seen in Mat. Paris and Mat. West.

CHAP. IV.

Boniface of Savoy. 1245-70.

Matthew of Westminster. Henry actually gave, to Otho, one of his own castles, to enable him to imprison those, among the clergy and monks, who resisted the demands made upon them, in the joint name of king and pope.

It is impossible, however, to account for the conduct of a man, who, like Henry, never acted on principle, but was inclined, first one way, and then another, as his passions, affections, interest, or pride, might sway him. He could be moulded into any shape that the person, who had, for the time, obtained an influence over him, might think fit; though the most influential person of to-day, might be ordered angrily out of the royal presence to-morrow.

Suddenly, Henry's feelings, we cannot speak of his policy, underwent a change. Otho had left him, and the king had not come to an understanding with Innocent IV. His conduct surprised every one. Matthew of Westminster says, the king recollected himself, although it was rather late. The first indication of his altered will was manifested towards one of the papal extortioners, Master Martin. Martin went about the country with threats, or cajoleries, compelling or coaxing the monks into the payment of large sums of money, to assist the pope in his schemes against the emperor, or, as he represented it, in maintaining the liberty of the Church. The monks and the clergy became exasperated and alarmed, until the nobles had compassion upon them, and determined to come to their rescue. Under pretence of a tournament, they held a meeting. Martin was attacked, and warned, that, unless he voided the kingdom in three days, he would be torn limb from limb, and his body be cast to the dogs. When Master Martin appealed to the king, he found the king in a rage. The royal lips

named a place, which is seldom mentioned to ears polite, and sending Master Martin there, added the charitable wish, that the devil might go with him to hell, and abide with him for ever.

The king, the nobles, and the prelates, were now united in a determination to maintain the liberties of the Church and realm of England. The object was to be accomplished in a regular and business-like manner. A commission of inquiry was instituted, and it was reported that the annual income of Italians, preferred by papal provisions, or by pressure upon English patrons, amounted to 60,000 marks, a revenue greater than that of the Crown. A Parliament was then held, when an epistle was drawn up, *per regni universitatem*, setting forth the "execrable extortions" of the pope. A deputation was commissioned to Lyons, to lay before the council a statement of the national grievances. Letters of a less official character were sent to the pope himself; one from the king, who warned his holiness that, unless redress were granted, he dreaded, from the state of feeling in the country, consequences fatal to himself as well as to the pope: from the bishops and abbots, informing the pope, that, if by his provisions, he should continue to interfere with the rights of the Church of England, and force foreigners upon the patronage of the bishops, the nobles would revoke the munificence of their ancestors, and the endowments of the Church would be withdrawn.

Nothing could be more satisfactory, than these proceedings, if they be regarded from our point of view in the nineteenth century; though to the pope and his cardinals, the nobles appeared in the light of rebels against the king, and the king himself as a weak man, who required support. The barons, under Earl Bigod, stated their case, with much discretion, but with great

CHAP. IV.

Boniface of Savoy. 1245–70.

firmness. But the pope was made aware, that the king, though enraged at the time, was not heartily with the nobles; and secret negotiations were carried on with the object of restoring the two courts to a good understanding. The conduct of the bishops, too, was extremely disgraceful. Many, who foresaw what would happen, excused themselves, under various pretexts, from attending the council. Those who obeyed the summons, appearing now no longer in the character of statesmen or lawyers, but as ecclesiastics, were overawed and intimidated. Even such men as Grosseteste succumbed. They were carried away by that professional feeling, which had little influence upon them in England. In their own country, they were, most of them, involved in the duties of more professions than one, and were more ambitious of acting in the king's council or in the courts of law, than of taking part in those duties to which they had vowed to give, not merely their first, but their exclusive attention. At Lyons, they were open to other influences. To these untoward circumstances, we must add the fact, that the Archbishop of Canterbury disliked the English, and took no interest in English affairs. Although, for private reasons, he had acted against the court with the national party, he threw all the weight of his high position on the side of the papacy. Nothing, therefore, was accomplished at this council, for the redress of grievances in England. The English nobles departed in anger; and they only waited for a leader, soon to appear, that they might rise in arms against the king, and avenge themselves upon the foreign party; upon both king's men and queen's men, the *protégés* of the queen consort or of the queen mother, upon all Italians, and upon the Romans in particular.

Boniface, in the meantime, was in high favour at

Lyons. With his coffers filled, he had arrived at Lyons in January, 1245; and, on the 15th of that month, he was consecrated by the pope himself.* He evinced his power to the king of England, by procuring the consecration of his chancellor, Richard de la Wych, to the see of Chichester. In spite of the opposition of the king, Richard was consecrated by the pope, on the 5th of March, though it was long before the king gave him the temporalities of his see. On his arrival at Lyons, the Archbishop of Canterbury received a military commission under his brother, Philip, who had the command of the papal forces. Philip of Savoy, who afterwards succeeded to the earldom, had been a captain of condottieri. He had sold their services, as well as his own, to the pope; the troops, under his command, being increased by many knights of the Temple and

* Stubbs, on the authority of Chron. Dover MS., and MS. Cotton. Galba. E 3., mentions the Bishops of Lincoln and Hereford as assisting at the consecration. The Bishop of Lincoln was the celebrated Grosseteste. The Bishop of Hereford was Peter d'Aquablanca. He was born at Aqua-Bella, where he afterwards founded a monastery. He was promoted, from the household of some foreign bishop, to be archdeacon of Salop, in 1239. He was consecrated Bishop of Hereford, at St. Paul's, on the 23d of December, 1240. He was one of the most obnoxious of the foreign advisers of the Crown. He was at one time, to serve some party purpose, sheriff of Hereford. He incurred public indignation by advising the crown to lay burdens on the clergy; and was so violently opposed to all English interests, that the barons drove him from his see, in 1262. He reappeared, however, in 1263, when he was assailed by the barons in his cathedral. He was imprisoned, and his goods were sequestered. He, nevertheless, redeemed his fortunes, so that he paid a large sum at Rome, to obtain, through a papal provision, the archbishopric of Bourdeaux, which was reported to be vacant. The pope took the money, and then informed Peter, that the archbishop was in good health. Peter d'Aquablanca died, a miserable leper, November 27, 1268. Hardy's Le Neve, i. 482. Trivet, p. 251. Wikes, p. 44. Ann. Waver. p. 224.

CHAP. IV.

Boniface of Savoy. 1245–70.

the Hospital—men, who, like Philip, sustained a semi-military, and a semi-clerical character. Philip, though a gallant officer, was in deacon's orders. What is more surprising still, is, that, while only a deacon, he became Dean of Vienne, Provost of Bruges, Bishop of Valence, and, eventually, Archbishop of Lyons. It was thus that the pope paid his soldiers; and employed bishoprics, as sources of revenue, not only to civil, but also to military, officers.* The Archbishop of Canterbury received

* Gallia Christiana, iv. 144, B. The revenue, jurisdiction, and title of the Archbishop of Lyons, were, under three pontificates, entirely separated from the spiritual conception of a bishop. When Philip succeeded to the earldom of Savoy, he was required, either to submit to episcopal consecration, or to resign the archbishopric. He chose the latter alternative, as he wished to marry. He married the heiress of Franche Compte. If it were not for the necessity of consecration, with which the popes in those three instances dispensed, the property of the Church would long since have been diverted to secular purposes. Of this, we have had an instance almost in our own days. The bishopric of Osnaburg, in the revolutions which occurred at the Reformation, might be held by a layman, and we have the following history of its disposal. A young prince was born in 1763, the second son of George III., and christened Frederick; and, according to a notice in the "Gazette," the Baron de Speede arrived at the English court, on the third of August, 1764, from Osnaburg, with the information, that, by virtue of a *congé d'élire* from the king, as Elector of Hanover, the infant Prince Frederick had been elected Bishop of Osnaburg, care having been taken for the due administration of the bishopric during the minority. In 1771, the Bishop of Osnaburg was elected a Knight of the Garter. On the 24th of May, 1783, the public was informed that the Bishop of Osnaburg was attending a review at Berlin. On the 25th of June, the bishop was attendant upon the emperor, at a review, and was praised for his military enthusiasm. On the 29th of September, 1784, he was conspicuous at a masked ball, given, in honour of the bishop, at Prague. In the following October, the Bishop of Osnaburg was gazetted as a colonel in the Guards, and a lieutenant-general in the army. On the 29th of November, 1784, the Bishop of Osnaburg became Duke of York.

a commission in the body-guard of the pope, under his brother, Philip. He was placed at the head of the police, during the period of the council, and discharged the difficult duties of his office, if not always with good temper, with decision and firmness. The handsome young primate was the admired of all beholders.

The Savoyards, under the military archbishops, became all powerful at the papal court. The pope was obliged, in all things, to yield obedience to their imperious will. And when he quitted Lyons for Perugia, one of his grounds of satisfaction was, that he had escaped the tyranny of the elect of Lyons, and of the Archbishop of Canterbury.*

Boniface, as we have observed before, insisted upon the right of the metropolitan to demand a contribution from the whole province, to liquidate the debt upon the metropolitan church. On this ground, he claimed the first-fruits of all ecclesiastical preferments, within the province, for the next seven years. Of this sum, he stipulated to devote to the purpose specified, two thousand marks: ten thousand he assumed the right to appropriate. Of what became of the surplus, above that sum, the king and the pope might, possibly, know. Certain it is, that the influence of Boniface, with the papal court, obtained for him a mandate, which justified his proceedings, so far as the canon law was concerned: and although Henry was, at first, violently opposed to the proceeding, his opposition was, after a time, withdrawn. But the suffragans of the archbishop were, by no means, prepared to submit; nor, on the other hand, was Boniface likely to yield to their opposition, when he was secure of support from king and

Had the Church yielded to the king, in the controversy about investiture, all bishoprics would have been disposed of in this manner.

* M. Paris, ad an. 1251. Sismondi, chap. iv.

CHAP. IV.

Boniface of Savoy. 1245–70.

pope. In 1247, he was obliged to enforce payment, by the suspension of some of his suffragans. But the opposition gradually subsided. The bishops became aware, that it was equitable that the whole province should be, in some measure, responsible for the debt, in which the metropolitan see was involved. Especially was this the case, under the circumstances; for the debt was chiefly incurred through the expenses occasioned by the translation of St. Thomas. By that circumstance, through the immense influx of pilgrims, the whole country had been benefited.*

While at Lyons, Boniface, who was devoted to the interests of his family, obtained certain fiefs from King Henry, for his brother, Amadeus, earl of Savoy. Boniface himself was commissioned to represent the king, and to receive his brother's homage.

The military duties, and political intrigues, of the Archbishop of Canterbury, prevented his return to England, for four years. In the meantime, the complaints against the non-resident primate became frequent and loud. People were indignant, that the income of Canterbury should be expended abroad; and the question was raised, whether, since Boniface had not been enthroned, some measures might not be adopted for the sequestration of his property. Boniface felt, at all events, that he must return to England to look after his temporal interests. Accordingly, four years after his consecration, he revisited England; and, on All Saints' Day, 1249, he was enthroned, at Canterbury, with great pomp and ceremony. Queen Eleanor accompanied the king, on this occasion, to Canterbury; and was the guest of her uncle.

* This, possibly was the feeling of Grosseteste, who at first opposed the demand (see Epist. lxxxix. p. 276), but afterwards withdrew his opposition.

Boniface had endeavoured, when yet on the continent, to compel his clergy to pay procurations, and visitation dues, although no visitation had been held by himself, in person. This unheard-of exaction his suffragans resisted. Procurations were made, at this time, by procuring victuals, or other provisions, for the visiting prelate and his suite.* To what abuses this demand for support might lead, when the visitors went forth among a scattered population, with a large mounted, and armed, retinue, may be seen from the various constitutions which bear upon the subject. To some of these, such as those of Langton and Otho, we have already alluded. But it became an intolerable grievance, when the archbishop visited only by deputy; when no attempt was made to reform the abuses of the Church; and when the threat of a visitation was only employed, to obtain a money payment from all beneficed persons, as a compromise to avert the greater evil, the visitation itself. It was determined to resist the archbishop; and the suffragans were taking their measures, accordingly, when Boniface made his appearance in the country; was enthroned; and then gave notice, that he should hold his visitation in person. Grosseteste, the Bishop of Lincoln, in his zeal to reform the Church, had extended his right of visitation to the dean and chapter of his cathedral; and to the religious houses, situated in his diocese, the archbishop gave notice, that he should follow this example; though his object was, almost avowedly, by the exertion of his constitutional powers, to increase his opportunities for exacting money.

He commenced with his own cathedral. Here he had to deal with a priory, which, though professing the Benedictine rule, had greatly relaxed their discipline; and, while given to hospitality, as it became them,

* Phillimore's Burns, iv. 35. Lyndw. 220.

CHAP. IV.

Boniface of Savoy. 1245–70.

had permitted their hospitable regulations to pass into luxurious living. For this deviation from the rule, it was only considered right that they should pay. The archbishop accepted no explanations, or apologies. Were they living strictly according to rule? If not, they could expect no mercy from their diocesan. He would not, like his predecessor, excommunicate them; but he could only be persuaded to abstain from this extreme punishment, by accepting a fine. Loud were the complaints. The monks regretted their treatment of the late primate. Him they had regarded, at one time, as austere and harsh; but his discipline was as nothing, when compared with that of Boniface. They sarcastically remarked, however, that they richly deserved this punishment, for having yielded to the wishes of the king, and for having elected a foreigner —an unknown, and an untried, young man.

The archbishop cared little for the censures of the monks of Canterbury. They had no powers of resistance. He had a strong case against them. If they had appealed, he was able to prove, that they lived in violation of their rule. In prosecuting an appeal, they would incur very great expense. If they prevailed against the archbishop, it would be by bribery, another heavy expense; they would even then have to pay a fine; and they might be non-suited, after all. So that it was cheaper to come to terms with the primate.

From Canterbury, the archbishop proceeded to Feversham. The monks, aware of their irregularities, acceded, at once, to the demands of the visitor. He was vexed, however, that he could not meet with the same readiness to compromise, at Rochester. The chapter of Rochester was composed of regulars, and, being poor, they could not be accused of luxurious living. They defied inquiry; but the archbishop, before he

left them, contrived to screw out of them, not less a sum than thirty marks.

And now the provincial visitation commenced. The archbishop proceeded to London. He had no establishment at Lambeth; therefore, he borrowed the house of the Bishop of Chichester—a splendid abode devised to the see by Ralph de Neville, and standing upon what now is the site of Lincoln's Inn. This proceeding caused great excitement. He would not furnish his manor at Lambeth, evidently on the ground that he did not intend to remain in England. He would wring what he could from clergy and people, and spend it all in foreign parts. Boniface was, at this time, on good terms with his royal nephew, the king; and, instead of paying for what he wanted, he directed his marshals to go to the market; and there, in the king's name, to demand whatever was required for his household. It was a kind of toll, the concession of which the king was accustomed to require before granting a charter for a market or fair, that his own wants should, if he were in the neighbourhood, be gratuitously supplied. But it was an unheard-of stretch of the prerogative, to confer this power upon another. It was, moreover, contended, that this royal privilege did not extend to London; where, from the frequent residence of the court, it would have become an intolerable grievance; but the king and archbishop cared little for these things, until, pleading their rights, the traders of London refused to consign their goods to the servants of the archbishop, unless payment was made. Threats, commotions, tumults ensued; but the retainers of the archbishop were armed. He had come with that regiment of soldiers—a little army, such as the greater barons were accustomed to bring with them, when, in disturbed times, they visited the me-

CHAP. IV.

Boniface of Savoy. 1245–70.

tropolis. These were more than a match for the Londoners, unprepared for their reception. But the alarm and indignation of the people were increased, by the fact, that the band of robbers, by whom the archbishop was attended, consisted, exclusively, of Provençals. It was a foreign invasion.

The Bishop of London was, at this time, Fulke, Lord Basset, a nobleman of learning, piety, and undoubted courage.* He was, also, a man of discretion. He might, no doubt, have placed himself at the head of the Londoners, and, backed by his clergy, he might have offered battle to the primate. But he knew that the king would not withdraw the privilege which he had conceded to his uncle; that the Londoners were not prepared to offer effectual resistance to the well-armed mercenaries, by whom the king and the primate had surrounded themselves; and that the Savoyard nobles would have liked nothing better, than to place themselves at the head of their troops, and lead them on to the plunder of the city. The Bishop of London, under these circumstances, counselled submission; and did, himself, though not without remonstrance, subject his church to the visitation of the primate. The conduct of the latter excited the indignation of the clergy,

* Fulke, Lord Basset, of Wycombe, a baron by tenure, had succeeded his nephew Gilbert, in the year 1241. We find him provost of Beverley, in 1228, and dean of York, on the 3d of October, 1229. He was consecrated Bishop of London, 1244. Not long after the transactions related above, Fulke Basset offered a bold resistance to a papal legate, to whom he said, when the legate was demanding a large sum of money from the clergy, "Rather than pay it, I will lose my head." He was a firm supporter of the national, or anti-court, party. How very powerful Boniface must have been at this time, is clear, when such a man as Basset thought it prudent to submit to him. Fulke died of the plague, May 21, 1259, and was buried at St. Paul's. Ang. Sac. i. 494. Wikes, p. 53. Ann. Waver, p. 205. Matt. Paris, ad an. 1251.

which the monks were the first to express. "His exactions," says Matthew Paris, "in the shape of demands for food, drink, and harness—that is, for men in armour and their horses—would, if they were related, offend the ears, astonish the minds, and harrow the feelings of all who should hear them.*"

The archbishop defied all law, precedent, and privilege. He hated and despised the English, and acted as a conqueror, whose will was not to be disputed. He gave notice that he should hold a visitation of St. Paul's Cathedral. On the day appointed, he appeared, with an armed retinue, at the great west door. Here he was met by the dean, a venerable old man, well versed in ecclesiastical affairs, Henry of Cornhill. The dean was attended by the chapter. The dean and chapter respectfully represented, that, by their statutes, the bishop of the diocese, and not the metropolitan, was their visitor. The archbishop gave orders to his attendants, and they forced an entrance into the cathedral. The cathedral was empty. The usual forms and ceremonies, adopted when a visitor entered a church, were omitted. No organ sounded. There was no array of the priests; no choir. The silence was only broken by the tramp of the archbishop's attendants, whose step was martial, though their outer garments were sacerdotal. The primate approached the choir. The doors were closed. He went to the chapter-house, there to admonish, as he said, the clergy; but he could not obtain admission. The archbishop, in his own opinion, and as he stated, acted temperately; contenting himself with merely excommunicating the dean and chapter, for having resisted the rights of the see of Canterbury.†

* M. Paris, ad an. 1250.

† M. Paris, Additamenta, 180.

CHAP. IV.

Boniface of Savoy. 1245–70.

The next day, according to notice duly given, the archbishop visited the priory of St. Bartholomew. In the meantime, the excitement among the Londoners increased. They were indignant at the insult offered, first, to their bishop, and then, to their cathedral, of which they were justly proud. They did not venture to rise up in arms, knowing the power of the foreign mercenaries, who only waited a signal from the Savoyard; but they did not hesitate to show, that they were themselves insulted in the insults offered to their bishop; and they loudly applauded the brave conduct of their dean. All this chafed the temper of the soldier primate. He was a brave man, but he had no ambition to follow the example of St. Thomas of Canterbury, and to suffer as a martyr. He therefore donned his armour, over which he put on his pontifical vestments. He commenced his procession to St. Bartholomew's—the procession of soldiers in priestly attire. The execrations of the people, not loud, but deep, fell on his ear, as he passed; and the temper of the archbishop, already irritated, was goaded on to fury. But he was subjected to some new tactics, on the part of his opponents. As he drew near, the bells of St. Bartholomew sent forth a merry peal to bid the primate welcome. The great doors of the convent were thrown open at his approach. As he crossed the threshold of the church, the organ sounded. A procession of clergy in the most splendid copes, and carrying tapers, was formed. As the procession advanced to the choir, with the evident intention of commencing divine service, the Psalms, selected for the occasion, were chanted; but the archbishop was too experienced a soldier, and too much a man of the world, to be deceived. He understood the state of things. Every honour was to be shown to the primate, but he was not to be received as the visitor. The

prior did not appear. The sub-prior might wear the splendid processional cope, of which the establishment was proud; but the Canons were not at the door to receive the visitor. They were in their stalls, ready to begin the service, when the archbishop and the procession should enter the choir. But before reaching the choir, the archbishop's small stock of patience was exhausted. He stopped the procession, and asked, where were the Canons. He demanded whether they were in the chapter-house, the place of visitation. When he was told, they were in their stalls, preparing for service, he rushed furiously into the choir, which was immediately filled. There was a perfect mob. The archbishop desired the service to cease. The sub-prior then came forward, and stated, that he and his brethren were anxious to receive, with all the honour due to his high office, the Primate of All England; but, as regarded visitation, their visitor was not the Archbishop of Canterbury, but the Bishop of London. A blow, from the young archbishop's fist, was the first answer, which the aged sub-prior received; and when he was felled to the earth, the archbishop rushed at him with uncontrollable fury, dealing blow after blow, now on his head, now on his face, now on his breast; cursing, swearing, calling for a sword to make an end of him, and shouting, in his madness, "Thus, thus will I deal with these English traitors."* The Canons rushed to the rescue of their sub-prior. A tumult ensued; but nothing could appease the rage of the archbishop; he crushed the poor old man between two of the stalls, and, redoubling his blows, at the same time, almost annihilated him. The blood of the English was now fairly up. They rushed upon the archbishop;

* "Siccine, siccine decet Anglicos proditores impetere: et horribilius cum juramentis irrecitabilibus delirans, gladium suum expostulavit festinanter afferri."—M. Paris, 676 ad an. 1250.

CHAP. IV.

Boniface of Savoy. 1245–70.

they dragged him from his victim. As they dashed him aside, the rattle of armour was heard ; and, tearing off his rochet, they exposed, to public view, the Primate of All England, holding his visitation, encased in armour. They held him back, but his followers, who had come with weapons, concealed on their persons, were dealing out blows upon the poor unarmed Canons ; and did not leave them, until they found it necessary to come to the rescue of Boniface himself.

The archbishop may have put on armour, as a precautionary measure, against the assaults of his enemies ; but now remarks were made on the inconsistency of a prelate, pretending to hold a visitation to correct abuses, and yet having evidently come to create a fray. The words uttered by the foreign prelate, in insult to the English, were repeated in every direction. Universal indignation and anger were excited. A concourse of people attended the Canons, as, bruised and bleeding, they approached the palace of the Bishop of London, to obtain redress. Redress the bishop was unable to give ; but he hoped, that the breach of the peace, which Boniface had occasioned, in the chief city of the realm, might induce the king to withdraw his support from his foreign favourite, though a near relation of the queen. He, therefore, sent the few Canons, who were not entirely crippled by the pugnacity of the archbishop and his followers, to state their case to Henry, at Westminster. They went, but returned, without obtaining an audience. This rendered the Londoners furious. They threatened to sound the alarm-bell, and, assaulting the primate, to tear him limb from limb ; but Boniface had entered his barge, and had gone up the river to Lambeth. Here he was safe from all, but the maledictions which were shouted at him from beneath the walls. The people called for vengeance upon

one, who, instead of watching for souls, was a robber of churches; who, instead of being duly elected, had been forced, an illiterate man, upon the Church. It was added, as a consummation of his criminality, that he was even a married man.

Boniface, when the mob dispersed, crossed over to Westminster, and had an interview first with the king, who was alarmed at what had taken place; and afterwards with the queen, who heartily entered into her uncle's cause, and persuaded Henry to issue a proclamation, to warn the people against taking part in a controversy in which ecclesiastics only were concerned.

At first, his anger overcame all thoughts of prudence in Boniface. In the chapel of Lambeth, he caused the sentences against the Bishop of London, and the dean and chapter of St. Paul's, to be legally executed. He then went to Harrow, where, it will be remembered, the archbishop had a manor. As if for the mere purpose of exasperating the English, he gave notice, in opposition to the advice of his friends, that he should visit the Abbey of St. Alban's. The English were very jealous of the privileges attached to an abbey, held as peculiarly sacred, from feelings of reverence towards the proto-martyr of Britain. Popes, when it was their policy to conciliate the English, granted peculiar exemptions and privileges to this society. Of these Boniface either pleaded ignorance, or asserted, on the authority of the lately published decretals, his right to supersede them.

Boniface was young, wrong-headed, impetuous, impassioned, but he was not without common sense; and, if he had not sufficient command of his temper, to keep out of scrapes, he showed his ability, by extricating himself from his difficulties, when they appeared likely to overwhelm him.

CHAP. IV.

Boniface of Savoy. 1245–70.

When he allowed himself time for reflection, he perceived, that he had to do with resolute men, and with men, who were accustomed resolutely to resent and resist oppression. He was soon informed that the religious houses, whose rights and privileges he had violated, had resolved upon an appeal to Rome. The monks of St. Alban's had applied for protection to the Bishop of London, in whose diocese their abbey stood. The bishop had informed them in a letter, made public, that he had addressed a circular to the other bishops, making them acquainted with the manner in which the tranquillity of his diocese had been disturbed; warning them that the attack, which had been made upon him, was only the beginning of evils; and exhorting them to adopt measures against the tyranny of this foreign invader of the rights of the Church of England. It was soon known to Boniface, that there had been a gathering of his suffragans, at Dunstable.* There four thousand marks were subscribed, to enable the bishops to resist the unprincipled aggression of the primate. It was also reported that, with the object of vindicating the liberties of the Church of England, the clergy, in general, had imposed a tax upon themselves, to the amount of twopence in the pound.

The archbishop's own course was prompt and decided. He would not parley with his enemies, in their own country; yet he saw, that it was necessary, that he should come to an understanding with the clergy of England. He determined to enter into negotiations with them, at the papal court. His visitation was suspended. He obtained the king's permission, readily granted, to leave England; and he entered Lyons, not now in military array, but in all the pomp and magnificence, which he thought to be seemly in the patriarch

* M. Paris, ad ann. 1251, p. 704.

of the West. He established his court, and spent his money freely. He exhibited letters, in his favour, from the King of England; and these, accompanied with the usual substantial recommendations, conciliated the Curia Romana. He received the proctors of the English bishops, who immediately followed him, with courtesy. He admitted that he had been hasty and inconsiderate in his visitation; but he could show that, although the new decretals had not been received in England, yet the powers of visitation which he assumed, were only those, which the decretals conceded. He submitted to those limitations of his power, which the growing love of liberty in England rendered necessary; and he agreed only to visit a parochial church, out of his own diocese, at the request of the rector. He stipulated to pay due regard to the privileges of the exempt monasteries. His procurations were not to exceed, in any parish, the sum of four marks. He submitted to the reversal of his sentence, on the dean and chapter of St. Paul's.

In short, the conduct of Boniface was wise, judicious, and conciliatory. It is only doing him justice, to place, in juxtaposition with the account, which we have given of what Matthew Paris calls his "tyrannical visitation,"—a history of proceedings, in which Boniface was the party injured, and which show, that, although his mode of action fills us with astonishment, it was not, in his own age, singular.

Boniface returned to England, on the octave of St. Martin, that is, at the close of the year, 1252. He came with good intentions, but the public could only judge of him by his past conduct, and his reception was anything but encouraging. He had scarcely landed in England, before he received an account of the extreme violence, to which his official had been

CHAP. IV.

Boniface of Savoy. 1245-70.

subjected, by Ethelmar, or Aylmer*—another royal foreigner—whom Henry III. had forced into the see of Winchester, on the death of William de Raleigh, in 1250, though the said Ethelmar was not consecrated till 1260.

Just before the return of the archbishop, the Bishop-elect of Winchester had instituted to St. Thomas's Hospital, in Southwark, a certain priest, to whom was commonly assigned the title of prior. The prior inducted himself, without having first obtained the proper licence, from the court of Canterbury. Master Eustace, of Lynn, was the archbishop's official. He pronounced sentence against the guardian of the hospital, or prior, for contempt of court, and summoned him to resign. On the refusal of the prior to obey the mandate of the court, he was excommunicated for contumacy. The prior defied the official and his court; and the official ordered his apprehension as a contumacious person. When the servants of the

* Ethelmar, or Aylmer, was uterine brother of Henry III., being the son of the Queen Dowager Isabella, by her second husband, Hugh Lusignan, Count of La Marche. After holding several smaller preferments in England, Henry forced the monks of Winchester to elect him the successor of William de Raleigh, who died in 1250. The election was confirmed, and Ethelmar became possessed of the bishopric, though he was not consecrated till 1260. He was one of the foreigners sent out of England, in 1258. Letters were at the same time addressed to the pope, praying him to remove the titular bishop from the administration of the diocese, protesting that they would not receive him if he returned to them. The chapter went even so far as to elect a new bishop, in consequence of Ethelmar's non-consecration. This dispute Alexander IV. settled, by himself consecrating Ethelmar at Rome, on the 16th of May, 1260. He died on the 4th of December, the same year. M. Paris, ad ann. 1250, 1251. Fœdera, i. 660. Annal. Dunstable, 346. Chron. Major, 49. Wikes, 48, 53. Wikes, 54, places Aylmer's death in 1259. Ang. Sac. i. 310, 311, where his consecration and death are both put in 1260.

archbishop's court approached St. Thomas's Hospital, the prior arrayed himself in his sacerdotal dress, and took refuge in the church. The officers of the archbishop asserted, that the church gave no protection to an excommunicate; and they captured him. The official ordered him to the manor of the archbishop at Maidstone; there to await the judgment of the primate, whose return to England was daily expected.

When the affair was reported to the Elect of Winchester, his fury was such as those of noble and royal birth, at this period, seemed to think it more meritorious to indulge, than to check. He assembled a party of foreign knights, ever ready for mischief, and, with such of his attendants as he could arm at once, he sent them to Southwark, to capture or destroy all those, who had dared to offer an insult to him, by enforcing the law against his nominee. They could not find either the official or his officers at Southwark; but, hearing that the prior was domiciled at Maidstone, until the pleasure of the primate was known, to Maidstone they went. They assaulted the place, and threatened to set fire to the house, but they found not the prior. At the report of their coming, he had been removed to some place of greater security. They received intelligence, however, that Master Eustace himself was not, as they had supposed, in London, where he would have been protected by the civic authorities, but at Lambeth. They went to the manor of Lambeth, having first done, at Maidstone, all the mischief they could. The poor official had not received any notice of their proceedings; and having only done his duty as a judge, had not supposed, that his conduct would cause a riot such as we have described. He was just sitting down to dinner, when he heard an uproar. The servants of the archbishop had not been alarmed,

CHAP. IV.

Boniface of Savoy. 1245–70.

and no more than the ordinary precautions, against the housebreaker, had been taken. The Elect of Winchester's men, therefore, had no very difficult task to perform. They broke open the doors, tearing them from their hinges; and they seized the person of Master Eustace.

The official-principal, and vicar-general, of the Archbishop of Canterbury, as the representative of the primate in the exercise and administration of jurisdiction, both temporal and spiritual, was a judge, as highly esteemed in those days as in these. The more marked, therefore, was the insult offered to him, and, through him, to the primate, when the troops of the Elect of Winchester treated the judge as a criminal, placing him upon a led horse, the bridle of which he was not permitted to touch. They thus carried him, a prisoner, to Farnham Castle. The bishop-elect did not, however, dare to detain him; and the venerable old man was driven, by the bishop's rabble, from the castle gates. He fled, until he reached the Cistercian monastery at Waverley, where the astonished monks received, with hospitality and kindness, the outraged judge.

As soon as the archbishop landed in England, the case was laid before him, with the exaggerations, usual on such occasions. It was truly mortifying to Boniface, who exclaimed, "This is sad news on our first arrival!" He was, at first, naturally and justly, excited to anger; but he controlled himself, and acted with dignity. He set out, at once, for London, having first summoned to his council, his old chancellor, the Bishop of Chichester, together with the Bishop of Hereford, on whose judgment he had much reliance. Attended by these prelates, in their full canonicals, he took his place in the Court of Arches. He then proclaimed an indulgence of thirty days, to

all, who, in obedience to his summons, attended as witnesses. He pronounced sentence of excommunication against all the perpetrators and abettors of the late act, excepting, only, the king, and the royal family. He caused letters to be addressed to his suffragans, requiring them, on their allegiance to the metropolitan see, to cause the sentence of excommunication to be read, in their respective churches, every Sunday and feast-day, till further notice.

The Bishop-elect of Winchester did not submit to this sentence, but directed the Rural Dean of Southwark, and the clergy of his deanery, to announce, in their churches, the nullity of the sentence, which was declared to be frivolous and sinful.

The Londoners were divided, in their opinions, as to the relative demerits of the two parties. They could not but admit, that my Lord of Winchester was in the wrong, but they remembered all the evil deeds of Boniface. Both were foreigners, and both were, accordingly, unpopular.

Again did Boniface act with the promptness and decision, which showed him to be a man of moral force and superior powers. He had returned to England, determined to win the affections of the people, whom he had not been able to intimidate. He was no longer in favour with the pope, and the king had shown an inclination to side with the Elect of Winchester. Boniface, therefore, was unfettered. The court party was more than ever unpopular, and was itself split into factions. There were king's men, and queen's men—Poictevins opposed to Savoyards.* They had only one bond of union—a contempt for the English, such as, in the violence of his anger, Boniface had, at one time, uttered; and a resolution to secure, for themselves,

* M. Paris, p. 739.

CHAP. IV.

Boniface of Savoy. 1245-70.

all the golden loaves and fishes of the realm, to the exclusion of the natives.

Boniface determined to declare himself on the patriotic, or national, side. He cared not—he never did care—for the English; and all that he now did was a mere party movement, by which he might be able to obtain sufficient power to make terms with the courts, both of England and Rome. This is no uncharitable surmise, as the fact is proved by his whole career. His hopes, his ambition, his objects, through life, were un-English. He was not naturalized; he was simply a Savoyard, with duties in England which he neglected; and with property which it was his object to increase. But now, that he had chosen his party, he acted as became a man, who knew what he was about. He proclaimed his politics to the country, by a visit to Oxford.

Oxford, in the thirteenth century, differed from the present beautiful city, in its external appearance; as much as the University differed from the present institution, in its internal arrangements. To the strength, rather than the beauty, of the city, the chief attention had, for a long period, been directed. While the Thames offered an easy communication between Oxford and the metropolis, London Bridge presented an obstacle to the pirates, who might, otherwise, have made the river a channel for their depredations, to the very walls of the town. The town was itself almost impregnable. Out of a level plain, covered, during a portion of the year, with water, certain islands rose, on which the public edifices were erected. Those moated edifices were like castles, and they afforded protection to the many combatants, who appeared on the plain below, when the waters were not out. There were contests between gownsmen

and townsmen, very frequent, and sometimes very serious. Within the University itself, there were two great factions, not of Normans and Saxons—such a distinction was forgotten — but between the North countrymen, and the South countrymen, who differ from one another even now, although their differences no longer bring them to dagger-drawing. The North countrymen were generally Realists, the South countrymen were Nominalists. But both parties united in the maintenance of a national, independent, anti-papal, feeling, and from both emanated that muscular Christianity, which has always been a characteristic of Englishmen. Then, as now, the great work of the University was, not the training of men of genius, who educate themselves; but the sustentation of that national spirit, in which the strength and virtue of the nation consist. The two Universities—and Oxford more particularly,—for Cambridge was only just emerging from obscurity — almost monopolized the education of the country. The cathedral and monastic schools remained, but they remained, chiefly, to be nurseries to the Universities. The Church was the road, through which the pauper was able to elevate himself to the council of princes; and to obtain distinction at the Universities, was the great object of every ambitious man, who, being lowly born, and excluded from the delights of war, had been taught to regard the field of battle, as a kind of preserve, in which the aristocracy only were permitted to disport themselves. The aristocracy, however, did not resign the University to the ambition of the middle and lower classes of society. In every noble family, there was ecclesiastical patronage, and the higher ecclesiastical preferments were considered objects of legitimate ambition to the younger members of noble households. The great

CHAP. IV.

Boniface of Savoy. 1245–70.

men of the day displayed their grandeur by the retinues they supported, and by the servants, who, in various capacities, waited upon them. The young scions of the nobility, who came to Oxford, came attended by their armed retainers—a little regiment, as it were, of soldiers—a fact, which, in some measure, accounts for the almost fabulous statements of the population of Oxford, and for the near approach to a civil war, which a disturbance at Oxford sometimes assumed. To Oxford, the aspirant to this world's honours was looking, from the remotest village; and when the scholar, disappointed in his worldly hopes and expectations, returned to his native place, his talk was still of Oxford. An "Oxford row," was regarded with interest by the whole country; into the remotest corners of which channels of communication were kept open. In every political movement, therefore, the statesmen watched the state of feeling in the University. The king himself kept court at Woodstock, to overawe, by his presence, a turbulent community, who did not hesitate to act in defiance of the royal will, if the will of the king was not in accordance with the law of the land, or the liberties of the subject. When a controversy assumed a national, instead of a local, character, the two factions of the North and the South, masters and scholars, were always ready to forget private differences, and to co-operate. So the proverb went:—

"Chronica si penses,
Cum pugnant Oxonienses
Post paucas menses
Volat per Angligenenses."

"The old story says
From our Oxford frays,
In a few months or days
All England's in a blaze."

A wiser course, therefore, Boniface could not have adopted, than that which he pursued when he gave

notice, that he should lay the controversy between himself and the Bishop of Winchester, before the authorities of the University. Here there were students from all nations; but men of all nations forgot their own country, when the question related to the liberty of the subject, in the land of which they had become denizens.

The archbishop, as he drew near the city, was met by the officials of the University, in their splendid robes, attended by a cavalcade of students on horses, magnificently accoutred. The primate, of noble, we might say of royal, birth, with a commanding presence, and a military air, was sure to be received with enthusiasm by the young nobility, who drew the conclusion, that high ecclesiastical office did not absolutely exclude its possessor from that which was the chief pursuit of gentlemen—feats of arms. At the same time, the grave deportment which Boniface assumed, made a favourable impression upon those grave members of the University, who had heard, with some alarm, of the tyrannical visitation of the preceding year. The archbishop was still attended by Provençals, but the Provençals were, as a class, devoted to the pursuits of literature. Matthew Paris informs us, when they partook of the splendid hospitality, when they heard the eloquence and wit, when they beheld the magnificent attire, and the strict decorum and discipline, of Oxford, they readily admitted that, in Oxford, Paris possessed a worthy rival.

On the feast of St. Nicolas, the feast day of the University, the magnates of Oxford were summoned by the common bell, and the archbishop laid his case before them. The sentence against the Bishop of Winchester *

* Having received the temporalities of the see, and with it all the temporal jurisdiction attached to it, he was called Bishop of Winchester, though not actually a bishop. I vary his title to remind the reader of this circumstance.

CHAP. IV.

Boniface of Savoy. 1245–70.

was then passed, with the sanction of the University; and, in letters, despatched through the length and the breadth of the land, it was made evident, that Boniface had sent in his adhesion to that national party, which, though not yet organised, was already in existence.

The Elect of Winchester now thought it expedient to come to an understanding with the primate, and, as Boniface desired to avoid unnecessary controversies, an arrangement or compromise was effected, into the particulars of which it is unnecessary to enter.

Of the principles of Boniface, we can say nothing; indeed, he seems to have had none. But he took an early opportunity of making it known in Parliament, as well as at Oxford, that the court party was not to expect support from him, and that the patriots might regard him as an ally. The generous impulses of his nature, when not contaminated by minor motives, would induce him to sympathize with men of spirit and enterprise. He had not arrived in England soon enough to attend the Parliament, which met on the 13th of October. At this Parliament the king informed his incredulous people, that he had taken the cross, and, that, to pay the expenses of the crusade, the pope had given him an entire tenth of the revenues of the Church of England; "a cursed contribution," as Grosseteste termed it, the payment of which all, but the foreign prelates, determined to resist. Every one suspected, that it was one of the petty manœuvres of the king, to raise money under false pretences. They could scarcely refrain from smiling, when the pusillanimous monarch talked of his desire to fight for Christ in the Holy Land. Nevertheless, after discussions, during which, the king's temper broke out in ungovernable fury, it was suggested to him that he should have the money he wanted, on the condition

that he would keep inviolate the Magna Charta, that he would grant another charter, with a view of preventing this extortion from becoming a precedent, and that the money should be applied exclusively to the purpose for which it was demanded. When the king denounced this proposal as a measure which would make him a mere slave, the Parliament separated, on the ground, that nothing could be finally arranged on the subject, until the arrival of the primate. Neither of the metropolitans were present on this occasion.

In the interval between this Parliament, and the Parliament which met in May, 1253, the whole country had been thrown into a state of enthusiasm and excitement, by the refusal of Grosseteste to induct the nephew of Innocent IV., Frederick di Lavagni, into a canonry of Lincoln, and the fearless, prudent, eloquent, and powerful letter,* as Grosseteste's friend, Adam de Marisco, styles it, by which the refusal was accompanied, and the malpractices of the pope and his party denounced. When Boniface attended the Parliament in May, the king, whose anger was never long-lived, had taken the hint, as to the inexpediency of trying the patience of his people too far. He was also aware, that the pope himself was under circumstances, which would prevent him from rendering the king much assistance, if he persevered in his attempt to bully the clergy, whom he now thought proper to cajole and deceive.

The Parliament, which assembled in Westminster Hall, was numerously attended, by prelates, earls, and barons. There were long discussions, and many censures were passed on the conduct of the king, in violation of the Great Charter. The king now offered to accept the terms, which he had rejected in the preceding Parliament; if the present Parliament would grant the

* Roberti Grosseteste Epp. ed. Luard, cxxviij. p. 432.

CHAP. IV.

Boniface of Savoy. 1245–70.

subsidy of which he so greatly stood in need. The "Milites" granted a scutage, the bishops a tenth, and the king pledged himself to observe the charters. But Henry was the most unfit of all men to reign. No one had confidence in his word, or could trust to his honour. It was thought necessary, therefore, that he should take publicly an oath of allegiance to Magna Charta. After this, if he violated his oath, as he did, he would be publicly disgraced; and, against a perjured sovereign, the nobles might be justified in taking up arms.

A day was fixed, when, under the most solemn and sacred ceremonies, the royal pledge should be given to the nation, that he who ought to have been the father of his people, should no longer be a conspirator against the liberties and the honour of the realm.

On the 13th of May, Henry III. entered Westminster Hall, attended by all the male members of the royal family. A splendid throne had been erected, from which he saw assembled all the magnates of the kingdom, who stood before him in respectful silence. The bishops were arranged on each side of the hall, with their attendants. They were in their pontificals, and each bore in his hand a lighted candle. Lighted candles were in the hands of all the clergy present. An anointed king possessed a quasi sacerdotal character, and, to bind him the more strongly, a lighted taper was offered to Henry, who at first received it, and then handed it to one of the clergy to hold for him, saying, that he was not a priest.* The Magna Charta was

* M. Paris, 746, infers from this, that the king premeditated perjury. Henry, however, was false, not so much from design as from weakness; and Mat. of Westminster (353), remarks that, at the conclusion, the king uttered an emphatic "Amen." "Et respondit Rex cum omnibus astantibus, Amen, Amen."

produced and read. The king listened to the recital with a calm, cheerful, and joyous countenance. When the reader ceased, he placed his hand upon his heart, and said, in a clear and distinct voice, "So help me God, as I shall faithfully observe all these things, as I am a man, as I am a Christian man, as I am a knight, as I am a king, anointed and crowned." Then stood forth the Archbishop of Canterbury, and, in the name of his brethren, he pronounced as *ipso facto* excommunicated, all violators of the liberties of the Church of England, or of the free customs of the kingdom, especially those that are contained in the Great Charter and the Charter of the forests. "Thus perish, and stink in hell, all who incur the sentence," exclaimed the archbishop, as he fiercely dashed his torch down on the pavement; while each prelate responded, in the same words, and with the same action. The bell tolled, as for a funeral. The stench of the extinguished flambeaux pervaded the hall. A deep Amen, was uttered by the barons, in which the king emphatically joined. A solemn silence ensued, and without further ceremony, one by one, each member of the Parliament retired from the hall.

Sad it is to add, that scarcely any one believed the king to be sincere. He may, at the time, have meant to keep his word; but every one knew, that, when his passions, or his interests, interfered, he might be easily persuaded to forswear himself. Soon after, indeed, when he was tempted to perjure himself, there were at hand, those whom M. Paris calls, whisperers of the devil, who suggested, that, from his oath, it were easy to obtain a dispensation from the pope. For his perjury, it was said, he might be absolved.

Henry was, however, now in good-humour; and,

CHAP. IV.

Boniface of Savoy. 1245–70.

on one occasion, he showed some of that readiness of wit which made him a pleasant companion in private life.

The solemn proceeding of the 13th of May was regarded as the inauguration of a new order of things. Although the freedom of election was guaranteed to the chapters under the charters, yet that freedom had been violated, by the king's refusing to ratify an election, unless the choice of a chapter fell on the royal nominee. The archbishop, and a deputation from the clergy, waited upon the king, for the purpose of coming to an arrangement on this matter. The king listened attentively, to all that was said; and then replied, that he certainly had offended on this point. This could not be denied. But he was now inclined to go further than the prelates had suggested. The wrong that had been done ought to be undone, and he called upon the bishops to assist him, not only in his endeavour to prevent a recurrence of the evil complained of, but to obliterate the consequences of his past misconduct. There was a twinkle under the drooping eyelid of Henry, as he played on this subject, until at last he said: "I must remind you of certain facts. It was I who advanced, to his present high station, Boniface, Archbishop of Canterbury; and thou, too, William of Salisbury,* thee I raised, from a

* This was William of York. He was a lawyer of some distinction. In 1226, although he was not a justice itinerant, yet he was commissioned to administer justice in Lincolnshire, having a grant of ten pounds to pay his expenses. (Rot. Claus. ii. 119.) About the year 1231, he was one of the regular justiciars of Westminster, and acted frequently as justice itinerant. In 1234, he was one of the judges of the common pleas. He was, about the same time, provost of Beverley. He was afterwards, Rector of Eaton, Bedfordshire, and Galton, and Prebendary of St. Paul's. Le Neve, i. 571, mentions him as Archdeacon of Stafford, between 1222 and 1238.

very humble condition of life, to be writer of my warrants, and to be a justiciary in my courts. And thou, Silvester of Carlisle,* who wast so long a clerkling of my clerks; alas! how many theologians, and reverend persons, did I put aside to make thee a bishop. And as for thee, my brother† Ethelmar, it is known full well, what pains I took to browbeat, and to bribe, the monks of Winchester, that I might place thee at the head of that noble see, when, indeed, considering thy deficiencies, in regard to age and learning, I ought rather to have provided thee with a tutor. And so, my lords, it concerns you, not less than myself, to show your repentance, and avoid eternal condemnation, by resigning those preferments, which, contrary to the liberties of the Church, you have obtained. Depend upon it, your example shall not be lost upon me. Rebuked by your example, I shall be on my guard, for the time to come, and will never promote to a bishopric any one whose merits and qualifications are not acknowledged and proved."

The sarcasm was felt; and all that the archbishop

On the 14th of July, 1247, he was consecrated, at Wilton, to the see of Salisbury. His consecration does not appear to have caused his resignation as a judge. He died, on the 31st of January, 1256. Dugdale's Orig. Jurid. Dugdale's Chron. Series, i. 309. Godwin. Le Neve, ii. 596. Foss, ii. 525. Stubbs, 42. Wikes, 47. Ang. Sac. i. 309, 494.

* Silvester Everdon, another eminent lawyer. He was justice itinerant. He had the custody of the Great Seal, in 1242, under the Bishop of Chichester; and, in 1244, was Chancellor of England, being, it was said, one of the most cunning in the customs of the Chancery. He was chaplain to the king, held several livings, and, in 1244, was Archdeacon of Chester. He was consecrated Bishop of Carlisle, at St. Agatha's, Richmond, *i.e.* Easby Abbey, on the 13th of October, 1247, and died, of a fall from his horse, on the 13th of May, 1254. He was buried in the Temple Church.

† Ethelmar of Valence. See *supra*, p. 262.

CHAP. IV.

Boniface of Savoy. 1245-70.

had to say in reply was: "Lord King, we have nothing to do with the past; all that we want to do is, to make regulations for the time to come."

The king was quite aware, that neither the archbishop, nor the Bishop of Winchester, were sincere in the course which they were now pursuing. They had their ends to serve; but they cared no more for England, than the king himself; or, not so much, for Henry could become patriotic, when his purse was full, and his wife's relations absent.

The archbishop had renewed his visitation. He observed, honourably and consistently, the conditions to which he had given his consent, when he was at Lyons. There were occasional outbursts of temper, as was usual with most men, at that period of the world's history; but he generally acted with discretion; and, associating himself with such men as Grosseteste and Adam de Marisco, he gradually became popular; and, though the popularity was not lasting, yet he was so far rewarded for his change of conduct, that he was, on one occasion, received with considerable enthusiasm by the Londoners, whom he had, not long before, so deeply offended.

Boniface had just completed his visitation of the diocese of Lincoln; and was at Newark, when the news reached him of the bishop's death. Grosseteste died at Buckden, but was to be buried at Lincoln, to which city the archbishop instantly returned; and, on the 13th of October, 1253, he officiated at the funeral. This was a popular act. Here he met, on friendly terms, his old opponent, the Bishop of London, together with the Bishop of Worcester, and a countless multitude, of clergy and people, who flocked, from all quarters, to do honour to one who, in maintaining the rights of the Church and realm of England, had bearded the

king upon his throne, and contemned even the maledictions of the pope.

A dispute arose, between the archbishop and the dean and chapter of Lincoln, in which the archbishop was clearly in the right. They, or rather William Lupus, the archdeacon, claimed the administration of the see, during the vacancy; a claim, which the metropolitan could not, by any possibility, concede. From a letter of Adam de Marisco, we infer that the dispute was finally arranged, between the archbishop and Grosseteste's friend and official, Robert de Marisco.*

However offensive the conduct of Boniface may have been to the king, the primate always had a friend and advocate in his niece. The queen regarded the English as a set of barbarians, to be plundered; and her name has come down to us, as the most unpopular of the consorts of the crown; but she was, in her family, the most amiable of women, and nothing can prove this fact more strongly, than the devotion evinced towards her, although he did not approve of her public conduct, by her heroic son, Edward I.

From the Profession Roll of Canterbury, we find that Boniface was in England, in the year 1254, as on the 17th of May, in that year, he consecrated Henry Lexington, Bishop of Lincoln.† The consecration took place in the Temple Church. But he soon after returned to the Continent, and was, once more, engaged

* By some modern writers, and among them, by Pegge, it has been said that Grosseteste died excommunicated. But, for this, we have no contemporary authority. The earliest referred to is, I believe, Knyghton. Mr. Luard traces the statement to a mistake of Tanner.

† See also Ang. Sac. i. 310. Chron. Dunstable. Also Mr. Stubbs, on the authority of the Profession Roll, Canterbury. M. Paris, however, states that he was consecrated "in partibus transmarinis," ad ann. 1254.

CHAP. IV.

Boniface of Savoy. 1245-70.

in military affairs. His brother Thomas, had been imprisoned, for his tyranny, by the people of Turin and Asti. The Archbishop of Canterbury, the titular Archbishop of Lyons, and Peter of Savoy, another uncle of the Queen of England, raised a large body of troops, to release him. They besieged Turin. The army was chiefly supported by English gold, supplied, by the King of England, to his wife's relations; or abstracted from the revenues of the see of Canterbury.* The archbishop was a man of great ambition, but not of sufficient ability to raise himself above mediocrity. With every advantage, resulting from noble birth and a large fortune, he did nothing well. He was not a divine; he showed no ability, as a politician; as a soldier, he evinced no genius as a general, but was merely an impetuous, dashing, cavalry officer. He gradually became aware of his incompetence; and, after his failure in this last military expedition, he was contented to perform a secondary part in public affairs.

At this time, the archbishop gave great and just offence in England. William of Kilkenny was elected to the see of Ely.† Boniface summoned him for consecration to Belley, and was assisted in the administration of his office by two foreign bishops. His suffragans in England united with the chapter of Canterbury, and protested against the proceeding, as an unheard-of innovation, and as an attempt to establish a precedent,

* The facts are stated, on authority of the pope's letter to his "well-beloved daughter, the Queen of England," given in M. Paris, in ann. 1256. Mat. Paris lived till 1259.

† William de Kilkenny was a courtier and a lawyer. He was, at one time, keeper of the wardrobe. He held several important law appointments—among them, that of keeper of the great seal—was Archdeacon of Coventry, and was consecrated Bishop of Ely, on 15th of August, 1255. He died the following year. M. Paris, ad ann. 1255. Madox, Exchequer. Foss, ii. 375. Stubbs, 43.

which the Church of England was determined to resist. More deeply, too, was felt the iniquity of expending the princely income of the see of Canterbury, upon foreign objects, at a time when, through the misgovernment of the king, combined with other circumstances, there was considerable depression and distress in England.

Other circumstances, of a temporal nature, besides his want of success, in military matters, soon convinced Boniface, that his presence was necessary in this country.

Innocent IV. in his insatiate hostility to the house of Swabia, had determined to deprive the descendants of Frederick II. of the Sicilian throne. Conrad, the king *de facto*, though he lived to the 21st of May, 1254, had been excommunicated by the pope, and the crown had been offered to any one, who would fight for it and win it. It had been refused by wise and prudent men, among others, by Richard, Earl of Cornwall, though this prince had not the strength of mind to refuse, soon after, the title, almost as unsubstantial, of the King of the Romans. Henry III., however, contrary to the advice of his native counsellors, having regard, not to the interests of his country, but simply to the gratification of his personal vanity, accepted the bauble, on the 14th of March, 1254, for his son Edmund, a child of ten years of age. The pope's grant required the payment of 135,541 marks, (90,360*l.* 13*s.* 4*d.*) But this was not all. One sin leads on to another. To enable the king to conduct the war in Sicily, Alexander IV. (Reinaldo de' Conti di Segni), who succeeded to the papacy in December, 1254, absolved Henry from his vow to undertake the crusade; for the conduct of which, he had, so lately, received a subsidy, both from Parliament and from Convocation.

CHAP. IV.

Boniface of Savoy. 1245–70.

Although the Parliament had refused to ratify the king's acceptance of the Apulian kingdom for his son, and although the Convocation had vehemently opposed it, the country was, not long after, astounded by the information, that, the pope held the realm of England responsible for all the sums, chargeable with interest, which the papal authorities professed to have disbursed in furtherance of an object, which concerned not the realm, but merely a weak, if not a wicked, king. The barons of Henry had already told him, that "he ought to blush to ask aid from his people, whom he professed to hate, and whom he shunned for the society of aliens."

The papal authorities were so ignorant of the state of public feeling in England, and of those ancient laws, which the English people, lay and clerical, had united to uphold, that they assumed the grant of the king to be equivalent to a grant of the nation, and they proceeded to act accordingly. Large sums of money were advanced, for the prosecution of the war in Sicily, on the security of the King of England, by the merchants of Florence and Sienna. When Henry found, that he could expect nothing from Parliament, he acquiesced in the mode of repaying the merchants, which the Roman authorities suggested, namely, by bills drawn upon the English prelates. He undertook to enforce the payment, if the pope would send his agents to England to make the demand. Throughout this reign, as a modern historian remarks, we are presented with the singular spectacle of a connivance of the Crown with the papacy, to plunder the clergy. The consequence was, a more close alliance than ever between the clergy and the aristocracy, to assert the national liberties against the double aggression.*

* Captain Procter, in "Encyclopædia Metropolitana," xii. 37. This able writer is so decidedly on the royalist side in the disputes

While Boniface was abroad, Rustand, a Gascon, had been sent into England, to employ all those forcible arts of persuasion which the authorities at Rome knew how to evoke, in order that the clergy might be induced to support the king in his ambition, and the pope in his vengeance. The war in Sicily was, by some strong power of the imagination, represented as a religious war, in which all the Church was, therefore, interested. It ranked with a crusade; at the head of it, the pious king of England had placed himself. Loyalty to the king ought to induce the clergy to support the war. But if that were insufficient, then the pope might demand a subsidy, to enable him to carry on a war which involved the well-being of Christendom.

The premisses were, of course, denied. The king deserved no support, if he separated the interests of his family, from those of his kingdom. How far the war in Sicily, because conducted against the excommunicated sons of an excommunicated emperor, could be regarded as a war, in which all the Churches of Europe were concerned, was a point, upon which the opinions of the clergy were divided. The large majority of the English prelates took a view of the subject, opposed to that of the pope. The discussion of the subject was postponed, on the ground, that the see of York was vacant, and the Primate of All England was beyond sea. The king was furious. Rustand threatened with excommunication, all who refused compliance with his demand. The Bishop of

of this age, that it is worth while to compare his statements with those of Mr. Blaauw. Mr. Blaauw's view of the character and proceedings of Simon de Montfort is very candid, and certainly in accordance with what are now considered constitutional principles.

CHAP. IV.

Boniface of Savoy. 1245-70.

London, Fulke Basset, issued a proclamation, in London, that no one should execute any commands, issued by the legate. The king threatened to unite with the pope, to depose the bishop. The Bishop of London replied: "The king and the pope are stronger than I am. They may take away my mitre; but," alluding to his temporal rank, he added, "my helmet will remain."*

It was doubtful, what course Boniface would pursue. His connexion with the king might cause anxiety; although the fact of his being one of the royal family, did really enable him to assume a greater degree of independence. Henry frequently quarrelled with his friends, but was the most placable of men. As to the pope, whatever may have been the feelings of friendship, with which Boniface had regarded Innocent IV., he had no personal attachment to Alexander. He certainly, throughout the controversy with Rome, maintained an independent part. He supported the patriotic prelates, and encouraged even the aliens, in their inclination to close their purses against the papal pickpockets.

Encouraged by the archbishop, when the adjourned Convocation assembled, on the feast of St. Hilary,† the prolocutor of the clergy, in the name of the bishops, who empowered him to act in their behalf, refused the subsidy which Rustand appeared again to demand. An angry discussion ensued; in the course of which, the legate asserted, to the consternation of the clergy,

* Mat. Paris, in ann. 1255: "Tollant mitram, galea remanebit."

† On this occasion, Master Leonard was appointed "quasi cleri advocatus et prolocutor universitatis." M. Paris, in ann. 1256. He had held a similar office at the preceding Convocation. Such an appointment shows that Convocation, like Parliament, was beginning to assume its modern form.

that the pope claimed the lordship of all the churches of Christendom. The assertion was made, and received, in accordance with the prevalent feudal notions. The reply was: "In one sense, this is true; his they are for protection, but not for fruition and appropriation. Just so, when we say, that all things are the king's, we mean no more, than that they are his, *defensione, non dispersione.*" The clergy appealed to their title-deeds, to prove the truth of their assertion. The nuncio refused to receive a general vote. He demanded, that each man should speak for himself, so that the king and the pope might know, who were, and who were not, their enemies. This took the clergy by surprise; but still they refused to succumb.

The king and the legate pursued a new line of policy. They required the beneficed clergy to vote individually, and not as a body. Many were tampered with, by the king, and the nuncio; and a few began to waver; but, when the Convocation resumed its sittings soon after Easter, the majority were firm in their resistance to the pope's demands. The bishops passed from Parliament to the Convocation, and informed the clergy, that the barons would support them.*

It was easier for the nuncio to manage the monks, as they depended, for their exclusive privileges, on the favour of the pope. The nuncio pressed for a contribution from the Cistercians, the great traders in wool; but they followed the example of the clergy. They evaded, rather than refused, the demand, by asserting, that they had no power to act, except under the directions of a full chapter of their order.

Boniface returned to England in 1256, as we find him engaged in consecrating William of Radnor, at St. Paul's, on the 7th of January, 1257. In the mean-

* M. Paris, in ann. 1256.

CHAP. IV.

Boniface of Savoy. 1245-70.

time, the king, and the pope, warned by Rustand, that it were a vain attempt to bully the English clergy into a compliance with their demands, adopted conciliatory measures. Certain privileges were promised to the University of Oxford; and, knowing that the English clergy were determined to maintain the Magna Charta, the pope offered to withdraw the opposition to that document, hitherto so odious at Rome, and even to confirm it. But too many instances had lately occurred, of the utter disregard of promises, and oaths, on the part of kings and popes, to induce the clergy to attach importance to any stipulations, except such as could be enforced by the sword.* Although Rustand reappeared in England, in the year 1257, with fresh instructions, and powers, he met with no greater success. The archbishop acted with great spirit. He immediately called a meeting of bishops and archdeacons. It was not a Convocation, for then it would have been summoned by the Bishop of London.

* All dependence of man upon man was annihilated in a state of things, when the most solemn oaths might be set aside, by such a document as the following:—

"Alexander, bishop, servant of the servants of God, to our dearest son in Christ, the illustrious King of the English, health and the apostolical benediction.

"It has been reported to us, that you, by a pressure from the nobles and people of your realm, have bound yourself, by your personal oath, to observe certain statutes, ordinances, and regulations, which they, under the pretext of reforming the state of your kingdom, have made in your name; and that you have confirmed, by an oath, statutes which tend to the diminution of your power, and to the detriment of your royal freedom.

"We, therefore, willing to provide for your dignity in this matter, with the apostolical authority, in the plenitude of our power, from this time forwards, do entirely absolve you from that your oath." Fœdera, ad ann. 1261, vol. i. 404, edit. 1816. "Aliis literis apostolicis quam plurimis."—*Ann. Burton.*

It was what we should now call a meeting.* It was a bold and decisive measure; and, as we have seen before, Boniface was a man who could, on certain occasions, evince resolution and vigour. The meeting was called, in opposition to the king, to resist the exactions, which the king and the pope were confederated to make. The king, acting under the advice of the nuncio, issued his writs immediately to the suffragans of the archbishop, prohibiting them from meeting unless his permission were first obtained. The ground of his prohibition was, that the meeting would interfere with a summons he had issued to those of the clergy, who owed him military service, to attend him on an expedition against the Welsh. The prelates, as well as all others, were bound, he said, to repair to the royal standard, for the defence of the kingdom. The archbishop was required to defer the meeting till the campaign was concluded; or, if he persevered, the suffragans were forbidden to appear at it, under forfeiture of their baronies.† The prelates, however, determined to obey the summons of their metropolitan, in spite of the opposition of king and pope. The meeting employed itself in devising measures, to resist the attacks made upon the liberties and property of the Church of England, by the Roman pontiff and the King of England.

Several other meetings, with this object in view, were held in London, which seem to have resulted in a compromise on the part both of the laity and of the clergy. Although the complaints were renewed, and protests were published, against the abuses in Church and State, which neither Parliament nor Convocation would any longer tolerate, nevertheless, a grant was made to the crown, on certain conditions, to the

* Ann. Burton, 382. † Fœdera, i. 362.

CHAP. IV.

amount of 52,000 marks, by Parliament, and of 42,000 by Convocation.

Boniface of Savoy. 1245-70.

Things were, however, at this time, coming to a crisis. The king had exasperated his subjects, clerical and lay, and now came a dearth of provisions, which involved the people in physical misery. The weather had been so wretched at the close of 1257, that no fruit could ripen, and the corn remained uncut even to November. The archbishop and the bishops issued orders, that, if the weather should permit, no one should be prevented from labouring in the fields on Sundays or any other festivals. The wheat, which, in 1255 had been sold at two shillings a quarter, rose to twenty or even to twenty-four. Horseflesh and even bark of trees became articles of food.

The conduct of the king, was, during this national calamity, so grasping and selfish, that he alienated still further the affections of all classes of his subjects.*

The discontent of the clergy was expressed in resolutions passed at a synod, called by the archbishop, at Merton, in Surrey, in the April of 1258; and more strongly still in certain constitutions which he published in 1261. The former, though couched in general terms, were pointed at the king; the latter asserted the independence of the Church, not only against the king, but also against the other great men in the kingdom, who, having, at that time, assumed the reins of government, were inclined to show less regard than was expected

* During the famine, the king, by an invidious exercise of his prerogative, seized and forestalled, for his own purveyance, the corn which Prince Richard had imported in fifty vessels. The authorities, however, of the City of London resisted this, as a breach of their charters, with such effect, that, by a legal decision, the king was required to come into market like others, with the advantage only of buying corn at 2*d.* a quarter below the market price.—*Blaauw*, 56.

to the rights of the Church,—those rights and liberties which had been conceded by kings, princes, and other lords of the kingdom. Both documents exhibit a lawless state of society.

Notwithstanding the troubled state of the country, the work of church-building was advancing in a satisfactory manner.

Besides 157 religious houses erected at this period, Wells Cathedral and the Temple Church, were, to use a modern phrase, if not rebuilt, yet restored. The north transept of York Minster was erected, and extensive works were in progress at Lichfield, Worcester, Gloucester, and Ely. The king himself indulged the artistic taste and skill, in which he excelled, in the rebuilding of Westminster Abbey. The Lady Chapel, the Tower, and the east end, were completed before the year 1269. But the work which attracted most attention, was the Cathedral of Salisbury; a work which had been in progress for thirty-eight years. The expense incurred in the erection of it is not fairly represented by money. The money raised amounted to 40,000 marks, or 26,666*l.* 13*s.* 4*d.*; but when money was scarce, donations were made in costly materials. One noble lady supplied the stone for twelve years. It may be interesting to those, who are employed in building or restoring cathedrals or large churches, to learn that the money was raised by the mendicancy of prebendaries. They, first of all, set a noble example by their own subscriptions; and then they divided the counties among themselves, and to every county a begging prebendary was assigned. The whole country was thus induced to take an interest in this noble structure. On the 30th day of September, 1258, the king and queen repaired to Salisbury, where they met the archbishop, who officiated at the con-

CHAP. IV.

Boniface of Savoy. 1245–70.

secration. After the lapse of six centuries, the reconstruction of some portions of that fabric, which is still the admiration of all beholders, is required; but the prebendaries of the ecclesiastical corporation, which remains as it was in the reign of Henry III., will not have to travel through the length and the breadth of the land, to obtain subscriptions, if the public spirit in Wiltshire may bear comparison with that, which, under the leadership of the Duke of Richmond, Lord Leconfield, Mr. Goring, and the bishop of the diocese, has been displayed in Sussex, with reference to the cathedral of Chichester.

As regards the affairs of state, Boniface was one of those politicians, who can be roused to action when an attack is made upon their purse or position; but who, animated by no great public principle, shrink from responsibility or trouble, as far as circumstances will permit, when their passions are not excited, or their personal interests immediately concerned. He would approach the confines of rebellion, when there was an attempt to detract from the rights or the property of the Primate of All England. But for England itself, he cared little, or nothing. He continued, to the last, a foreigner in his affections and his objects. Although he, at one period, thought it expedient to side with the barons, yet when they had come to the conclusion, that a king, who violated the laws of the country, must be coerced into obedience, he gradually fell from them.

The age in which Boniface vegetated, was an age in which the British Lion was beginning to shake his mane, and to try his strength. It was a period of social as well as of constitutional progress. The nobles were engaging in, or encouraging agricultural pursuits. Much waste land was brought under tillage. The coal mines were worked at Newcastle; and, although certain

elderly females in London succeeded, in 1273, in persuading the civic authorities, that the use of it, on the ground of health, ought to be prohibited, still a source of wealth was opened, more valuable than mines of silver and gold. Commercial enterprise and combination assumed importance in the Steelyard, and in Lombard Street; trade was carried on with Norway, Lübeck, Brabant, Germany, Spain, Portugal; the Arabic system of notation, by nine digits and zero, was generally adopted; the standard of weights and measures was adjusted. As commerce extended, internal trade increased. Linen was manufactured. The English language was written, as well as spoken. English literature came into existence; the Universities were reformed; the collegiate system was introduced. In the political world, the middle classes compelled the nobles to recognise their importance; from every county, city, and borough, knights and burgesses were summoned by writ, to meet the barons and prelates in council. The principle of self-government was introduced. Parliament, in its present form, first raised its voice, the fact being scarcely noticed by contemporary writers. Its importance was rather instinctively felt, than philosophically asserted. The principles of Magna Charta were developed. England assumed her position as one of the great Powers of Europe.

It would have been pleasant to dilate on these topics, if we could have found the archbishop performing anything but a subordinate part. At the latter end of his career, he sank into comparative insignificance. But still, we find, that he was treated with more consideration and respect, than the other foreigners; and it is clear, that, though he detached himself from the cause of the barons, when the civil war commenced and the English bishops joined the barons, he exerted

CHAP. IV.

Boniface of Savoy. 1245-70.

what little influence he possessed, to promote peace, and to recommend conciliatory measures. He attached himself to the party, of which Richard, Earl of Cornwall, (the King of the Romans,) and young Prince Edward, may be regarded as representatives. These princes, affectionately attached to the king, the most amiable of men in all family relations, could not approve of his public conduct, and were, to a certain extent, connected with the party of the barons, until the sword was drawn. But when war was declared, the young Edward, by filial duty and by the pride of insulted royalty, became his father's champion, and, so far as it was possible, his adviser. It is thus, that we account for the apparently inconsistent conduct of Boniface, so far as we can obtain, amidst the confusion of contemporary events, short glimpses of his career.

Boniface co-operated with the barons, who were confederated under Simon de Montfort, in "the Mad Parliament" of 1258. His name is attached to the proclamation, addressed to every county in England, enforcing the observance of the provisions of Oxford;* and he is concerned in a memorial which was, at the same time, addressed to the pope, complaining of the ruinous disorders, the distress, and the decay of learning, to which the introduction of foreigners into English benefices, and the king's infatuated attachment to aliens, had brought the country. They especially complained of Boniface's former opponent, Ethelmar, Bishop of Winchester. These aliens, it was said, had been like robbers, plundering the poor, and ensnaring the simple. Their inferiors could not live under them, their equals could not deal with them, and their superiors could not control them. The pope was duly informed, that a

* Fœdera, i. pt. i. 378, edit. 1816. This was the first public document in English. It has been quoted in the introductory chapter.

committee had been appointed to reform abuses, and that the country was determined no longer to tolerate the intrusion of foreigners.

The pope, in his reply, took an opportunity of paying a compliment to the Church of England. So far from finding any scarcity of learned men in England, he asserted, that he could not, at that time, discover any kingdom or province, in the whole world, which had a greater, or even so great, an abundance of them.

When a king can be bound neither by a sense of honour, nor even by his oaths, measures of self-defence, on the part of the people, require that he should be placed under restraint, if not deposed. The first lawyer whose writings we possess, Bracton, asserts, "Lex omnium rex." A king, not less than a subject, may be a traitor. So felt the English barons and prelates with regard to Henry III.; and, after the Oxford provisions, the government was, as it were, in commission. It was conducted in the king's name, but the king was obliged to act as his ministers advised.

The immediate result of the Oxford provisions, and the establishment of a patriotic ministry, was the exile of the aliens. As a contemporary * writes :—

"Totam turbat modica terræm turba canum,
Exeat aut pereat genus tam prophanum."

"A paltry set of curs is troubling all the land,
Drive out or let them die, the base, ungodly band."

But, at this time, the public indignation was not directed against the Savoyards, or the queen's party; it was upon the king's party, or the Poictevins, together with the Italians, that the phials of popular wrath were poured out. The court was, indeed, divided

* Political Songs, in W. de Rish. Chr. p. 19.

CHAP. IV.

Boniface of Savoy. 1245-70.

into two factions, and the Savoyards had no objection to any amount of obloquy, heaped upon their rivals. Boniface, and his brother, Peter of Savoy, having hitherto sided with the barons, were protected in their persons and their property, and admitted to places of trust. Peter of Savoy was, indeed, one of the commissioners who, together with the patriotic Bishop of Worcester and the Abbot of Bury, were sent to demand an oath, to observe the Oxford provisions, when Richard, Earl of Cornwall, now King of the Romans, was returning from Germany to England.

But we find, that Boniface soon after deserted the cause of the barons, and we can easily account for the fact. The barons in power began to have quarrels among themselves. Even those, whose principles were most patriotic, were not unwilling to further their selfish interests, at the expense of their opponents. The property of the Italians was, virtually, confiscated. They were accustomed to farm their benefices, and those who farmed the Church estates, received orders not to hold themselves any longer responsible for payment to the Romans, but to account for the rents to the proctors of the barons.

What was done, in regard to the property of the Bishop of Hereford, might easily be done, in relation to the estates of Canterbury.

Although, moreover, a distinction was, at first, made between the Poictevins and Italians, on the one side, and the Savoyards, on the other, there seems to have been a growing antipathy to the queen's party, occasioned, probably, by indiscreet conduct of that injudicious woman, who, notwithstanding her beauty, and her undeniable virtues, was always unpopular. This hatred of the queen, on the part of the people, evinced itself, on one occasion, in such unmanly con-

duct, as is displayed when a mob is maddened by its angry passions. Her barge was assaulted as she was proceeding up the river from the Tower to Windsor. All kinds of filth were hurled at her boat, and large stones seemed, for a time, to endanger her life, while the title of witch—"Drown the witch!"—was among the mildest of the terms of disparagement and malediction which were applied to her.

Boniface was still in England in the year 1260, and in the year 1262. On the 15th of February, of the year first mentioned, he officiated, at Southwark, in the consecration of Henry Wengham to the see of London;* and on the 24th of September, 1262, he was at Canterbury, and there consecrated Stephen Berksted to the see of Chichester;† but before May, 1263, he had left the country.‡

The king, we know, went to the Continent in 1262, and was taken seriously ill at St. Germain's. The archbishop soon after joined him; and, from this period, we may, probably, apply to him the statement of Matthew Paris, that he was incessantly employed in plotting all the mischief he could against the barons. When he changed his politics, it was a matter of course, that he should be engaged in supporting the party he had joined. He had no English feelings to deter him from assisting the queen, when she was, like himself, expending the wealth of England, to hire a body of mercenaries to invade the country.

* Stubbs, 44. Profession Roll, Canterbury. Chron. Major. 44. Wikes, 53. Polestoire 115. Cont. Gerv. MS.

† Stubbs, 44. Profession Roll, Canterbury. Wikes, 56. Cont. Gervas. MS.

‡ We infer this from the fact that he was not present at the consecration of Henry Sandwich, Bishop of London, May 27, 1263, or at any other, till September, 1266.

CHAP. IV.

Boniface of Savoy. 1245–70.

The patriots, finding that no confidence could be placed in the king, began to arm, in 1263, and both parties prepared for war. The king, as usual, applied to the pope for aid against his Church and people. A legate was, accordingly, despatched to England—Guy Foulquois, Archbishop of Narbonne, and Cardinal Bishop of Sabina. He was, by birth, a Provençal; was an eminent lawyer; and, in 1265, became pope, under the name of Clement IV. He was a man of learning, as well as of piety, and was a correspondent of Roger Bacon. He had an interview with Boniface at Boulogne. By the archbishop, as well as by others, he was warned, that his life would be in danger, if he went to England. The people were so exasperated against foreigners, that a Roman, who came to claim preferment in London, had been torn to pieces by the mob. It was determined, therefore, that, instead of risking his life, he should remain at Boulogne. Thence, he warned the barons to release the king, and the princes, Edward and Henry, whom they detained as hostages. The barons disregarded the warning, and the legate and the archbishop determined to excommunicate them. But, then came the question, Who should be the bearers of the excommunication? To introduce any bulls, or briefs, or other papal instruments, into England, without the consent of the Government, would subject the bearer to the penalty of death, unless he were a prelate. A prelate would be subjected to inconvenience, but his sacred character might be so far respected, that his life would be spared. It was arranged, therefore, that the Archbishop of Canterbury should summon a certain number of his suffragans to a conference at Boulogne. The summons was issued. It was agreed that it should be obeyed. The barons at first objected, but knowing the bishops to

be hearty in the national cause, gave their permission. The Bishops of London, Winchester, Worcester, and Chichester, went to Boulogne. The excommunications of the barons were confided to their charge, although Boniface must have known that they could not, or would not, execute their mission. But the bishops departed. They arrived at Dover. They submitted their luggage to be searched.* The packets were seized, torn to pieces, and thrown into the sea. The bishops returned to the barons, and, in spite of Boniface and Guy, administered the rites of religion to one of the most religious men of his age, Simon de Montfort.

We hear no more of Boniface, till the Award of Amiens. He repaired, with others, who had fled, in alarm, from England, to the court of Henry, at Amiens. It would appear, that even now, there was a feeling, on the part of the insurgents, not unfriendly to Boniface. It is well known, that, indignant as the barons were with the unrighteous judgment of Louis IX.†—from whom, on account of the high character he so deservedly sustained, a more equitable decision was expected—their angry passions were most aroused by the sanction he gave to the employment of aliens in places of public trust. This was, in reality, the ground of dispute; and it is an argument, in favour of

* "Scrutinio ex more in portu facto."—*Chr. Roff.* There is another version of the story, that the bishops, before they landed, permitted themselves to be robbed of the excommunications by pirates.

† The contemporaries of St. Louis did not hesitate to say that he was bribed. But it is contrary to the character of the man, who, though a Frenchman, was singularly upright in his transactions. He was probably led away by compassion to a brother king.

"O Rex Francorum, multorum causa dolorum,
Judex non rectus, ideo fis jure rejectus."
Political Songs, from MS. Cotton, Otho D. viii.

CHAP. IV.

Boniface of Savoy. 1245–70.

Boniface, that, at such a time, the barons were willing to make an exception, under certain conditions, in his favour. The conditions were, that he should relax any sentence of excommunication, which had been pronounced upon those, who had, in the time of the late disturbances, committed depredation on Church property, on their making the proper satisfaction; that, in all things relative to the Church and realm of England, he should be guided by the counsel of his suffragans, or the greater and wiser part of them; that no aliens should accompany him, but those of his own household and court; that any other aliens, who held benefices in England, might return with him, on condition of their spending their whole income in this country; that neither he, nor any of his clerks, should bring with them, or procure from others, any letters, messages, mandates, or aught else, by which loss, peril, or prejudice, might accrue to the king, or any persons in the realm.*

Boniface did not avail himself of this permission to return; but, having thrown himself into the royal party, was engaged in the various intrigues, which were going on, with the object in view of an invasion of England. There are letters and documents, in the Fœdera, which show the zeal of the pope in the cause of the king, and the decay of the papal influence and power. The precautions taken against the importation of bulls and briefs, prove that the threats of papal vengeance were calculated to alarm some consciences, while the silent contempt, with which they were received by the leading parties concerned in this struggle, although they were men of deep and earnest piety, must convince us, that the abuse of papal power was already inducing men to doubt of its real exist-

* Fœdera, i. pt. i. 438, edit. 1816.

ence. Encouraged by the pope, assisted by a foreign archbishop, Eleanor, a foreign queen, had succeeded in collecting a mercenary band of foreigners from Brittany, Gascony, and Spain. The archbishop, and the foreigners, ecclesiastical, military and civil, who, in fear of their lives, had fled from England, joined the queen's forces in Flanders. These traitors to England were enthusiastically supported by the French, whose national vanity had been flattered by the selection, by both parties, of the French king, to arbitrate between them, and who were determined to support his award.*

In England, vigorous measures were taken to protect the coast; but they were rendered unnecessary, since the elements, as on some other occasions, fought for our country. The winds remained contrary for so long a time, that, after boasting that England would be once more conquered by foreigners, these aliens were made to feel, that, in the absence of a skilful general and a good commissariat, an army might be defeated by inaction. The troops dispersed, after selling their horses and their very clothes, to enable them to purchase the necessaries of life.

In the meantime, the reader will remember the disturbed state of society in England; and the results of the battle and the Mise of Lewes. On the 23d of June, 1264, a triumvirate was formed, consisting of the Bishop of Chichester, and the Earls of Leicester and Gloucester, to whom were delegated the full powers of royalty, and who were, themselves, responsible only to Parliament. One of their first measures was, to address a letter, in the king's name, dated the 25th of June, to Archbishop Boniface. Whether they were aware of the measures he was devising against them, does not appear. He did not appear in arms,

* W. Rish. De Bello Lew. p. 16. T. Wyke, Add. MS. 5444.

CHAP. IV.

Boniface of Savoy. 1245–70.

with the queen, till some months afterwards. The letter, which is respectful, but firm, remonstrates with the primate upon the inconveniences to which his suffragans, and the other clergy of the Church of England, were subjected, from their being obliged to wait upon him, for the transaction of business, in France, where travelling, at this time, was dangerous to the English. Walter Giffard * had just been elected Bishop of Bath and Wells, and was required to wait upon the primate for confirmation. The Government had forbidden him to do so. The conduct of the archbishop, in summoning him, or any other person, to a foreign country, was illegal, and contrary to all precedent; his paternity was, therefore, required, immediately, to make his appearance in England, under pain of the confiscation of his property.† It was not to be tolerated, that he should squander the income of the archbishopric of Canterbury out of the kingdom.

Walter Giffard was, nevertheless, obliged to go

* Walter Giffard, son of Hugh Giffard, of Boynton, in Wiltshire, was a distinguished lawyer. In 1265, he was appointed chancellor, in the room of Thomas de Cantilupe, who represented the barons at the Award of Amiens, and to whom the great seal had been delivered by them. An allowance of five hundred marks was made to him for the support of the office.—Rot. Pat. 49 Henry III. M. 10. In April, 1266, his name appears as witness to a charter, and to it is attached the title, "Cancell. Angl." This is the first time that this designation is employed.—Dugdale's Monast. iv. 279, vi. 546. He held several important offices under Edward I.; and, on one occasion, when the king was on the continent, Giffard was regent of the kingdom. He was consecrated to the see of Bath and Wells, on the 4th of January, 1265, at Notre Dame, Paris. He was translated to York, on the 18th of October, 1266. He became an active and munificent prelate. Chron. Lewes. Le Neve. Stubbs. Foss, ii. 353.

† The document is in the Fœdera, i. pt. i. 444, from Pat. 48 Hen. III. M. 10 in Turr. Lond. The letter to the archbishop immediately follows.

abroad for consecration. He was consecrated at Paris, not, indeed, by the archbishop, but by one of the most hated of the foreigners, who had been forced into an English see, and who dared not show his face in England—the Bishop of Hereford.* Boniface was in England, 1266, on the 17th of September, when he consecrated Nicolas of Ely to the see of Worcester, and William Bruce to the see of Llandaff. We may presume, therefore, that he returned immediately after the triumph of the royal party, and the restoration of the king to power. The Battle of Evesham, which was fought on the 4th of August, 1265, annihilated the party of the barons.

On the restoration, we find two facts in connexion with Boniface. He was in favour, to the last, with Prince Edward. He was, virtually, superseded in his office, by the arrival of a legate, on the request of the king, and to the great disgust of the people.

We infer from this, that Boniface, having become, in his old age, a wiser, humbler, and more peaceful man, than when he conducted "a tyrannical visitation," and stood at the head of armies, concurred with Prince Edward in the conciliatory policy, which the young prince desired to pursue. The king was peculiarly exasperated against the clergy, and thought that he might obtain that revenge upon them, which the wisdom of his son prevented him from taking upon the barons.

Henry was supported by the pope. Guy had now become Clement IV. He had not forgotten the resistance he had met with from the English bishops, at Boulogne, and how they set at nought his excommunications. Those excommunications he now renewed. He publicly annulled, in the church of Perugia, the

* Peter de Aquablanca, of whom an account was given at p. 247.

CHAP. IV.

Boniface of Savoy. 1245–70.

oaths of the king and the prince, and declared all the grants, made by the barons, to be illegal, on the ground that the care of all kingdoms and kings were committed to him.* He urged the prince to strong measures, and he is sometimes praised for advising the king to make a merciful use of his victory. That Guy was a merciful man, is very probable, but, on this occasion, he wrote as a politician: "The humanity of forgiveness will attract more people to love you, and your son, than the severity of punishment will chastise. The fury of vengeance may suppress the hate of a few, but it will excite that of many."

The royal conduct was not in accordance even with this worldly precept. Henry III. ever requiring support, and seeking the support of foreigners, asked for a legate, who could assist him in filling his coffers, by sanctioning his persecution of the clergy. He complained, that the English bishops had been among the most zealous of his opponents; and their estates he sequestered. He complained, also, that a grant, made to him by the pope, had not been paid, by the contumacy of the English clergy. When Prince Edward engaged to take the cross, the pope, by the law of nations and of the Church, had a right to require of the clergy of every church, which sent forth a champion, a certain sum, to defray the expenses of the war. The demand had been made; the bishops had consented to the payment; but the other clergy had resisted the collectors, and the king affirmed that he was defrauded.

The archbishop was disinclined to act. He had himself, for many years, co-operated with the bishops, whom he was now called upon to excommunicate; and he shrunk, in his old age, from creating that

* Fœdera, i. pt. i. 459, edit. 1816, Sept. 13, 1265.

degree of public hatred, before which, he had quailed in his youth, and which, in compelling the clergy to pay the exorbitant demands of the king, he would be sure to encounter. It often happens, that a man, turbulent in his youth, will make great sacrifices to procure peace and quiet in his old age. Moreover, Boniface cared nothing for the rights and liberties of the Church of England. And so, to the coming of a legate, he made no objection.

Ottobone di Fresco, Cardinal of St. Adrian, accordingly arrived.* His appointment must have been made for the purpose of insulting a fallen enemy. He had, though an alien, held the archdeaconry of Canterbury, one of the few well-endowed archdeaconries. Consequently, an appointment, under all circumstances, unpopular, became doubly so, to all in whose breasts beat an English heart. The man who was hated as an alien, who held English preferments, was not the best man to be appointed, at this time, a legate. Ottobon, for such is his name in English history, convened a council at Northampton. Here he excommunicated the Bishops of London, Chichester, Winchester, and the consistent and patriotic Bishop of Worcester.

In the year 1268, he held a council in London, at which, certain constitutions were enacted. These constitutions, as embracing all former canons of the Church of England, and as assimilating the laws of the Church of England, with those which had been passed at some late Lateran councils, have always been regarded as a valuable addition to our ecclesiastical code of laws.

* He was elected to the papal chair in 1276, and died the August following, without having been consecrated pope or even ordained priest.

CHAP. IV.

Boniface of Savoy. 1245-70.

Boniface, under all these circumstances, remained a mere cipher. He attended the council, in 1268, and, on the 21st of October, in the same year, he officiated at the consecration of Anian Schonaw, to the see of St. Asaph. Early in 1269, Prince Edward proceeded on the crusade; and, according to Birchington, he was accompanied by the archbishop. But Boniface did not remain with him long; he could not resist the temptation of once more re-visiting his native land. There he had time to meditate on the uncertainty of human events, until the 18th June, 1270, when he died at his Castle of St. Helen's; and, as the chronicler tells us, "tota lætatus Anglia, specialiter Cantuaria." His character is depicted in dark colours by most of his contemporaries. Birchington, however, says of him, that he was "pauperum amator." Wikes, speaking of his death, says, that he was "egenorum profusissimus;" and adds, to the list of his virtues, that he was a man, "miræ simplicitatis, licet minus literatus, sobrie tamen degebat, sapientissimorum se concilio regebat, humilis, pudicus, modestus." So he appeared, in his closing years; and we sometimes find an impetuous young man become, in his age, conciliatory and kind. He is stated to have cleared the archiepiscopal see of a debt, amounting to twenty-two thousand marks, incurred by his predecessors, Stephen, Richard, and Edmund. He was not particular in his language, and he had lived too much in the camp, to think sternly of an occasional oath: it would, otherwise, sound strange, in our ears, to hear of him, that, when remarking, jokingly, that he had built the archiepiscopal palace, he exclaimed, "Eja, per Christum! prædecessores mei aulam istam cum magnis expensis fecerunt, sed expensas ad illam construendam nisi de summa mutuata non invenerunt. Videtur quidem mihi quod ego aulam

illam feci; quia illorum debita persolvi." He also erected and endowed a hospital, at Maidstone, to the honour of St. Peter, St. Paul, and St. Thomas of Canterbury. He was, during a portion of his life, on good terms with Adam de Marisco, as appears from his letters. His relations, too, with Grosseteste were friendly, on the whole.

CHAPTER V.

ROBERT KILWARDBY.*

Educated at Oxford and Paris.—Dominicans at Oxford.—Kilwardby Provincial of the Order.—Disputed Election at Canterbury.—Kilwardby forced on the Church.—His Consecration.—Exactions of Rome.—Political Life of the Archbishop.—Crowns King Edward and his Queen.—Controversies at Canterbury. — Second Council of Lyons. — Bonaventura.—Thomas Aquinas.—Archbishop's Visitation.—Reform at Oxford.—Translation of St. Richard.—Black Friars.—A Mendicant Feast.—Made a Cardinal.—Goes to Rome.—Dies there.—His Works.

CHAP. V. Robert Kilwardby. 1273–78.

Of the birthplace and parentage of Robert Kilwardby,† I am not aware that anything is known. The acknowledgment will, perhaps, provoke further inquiry. It is proudly recorded of him, that he was *Gente Anglus*—a description expressive of the public satisfaction of having escaped from the domination of a foreigner, such as the last archbishop, Boniface. It does not imply, however, that, in the dispute between the court and the barons, he sympathised with the national party. We should infer, from his history, that this was never the case.

* Authorities.—The continuator of Mat. Paris. Mat. of Westminster. Nicolas Trivet, Annales Sex Regum Angliæ. Trivet, himself a Dominican, gives the best account of the archbishop, though probably it is not all original. Continuator of Florence of Worcester. Capgrave.

† His name is variously written Chiluuardebeies, Kilewardely (Trivet), Kiglwardly, Kilwarby, Kildwardly, and sometimes De Kilwardly. It is now spelt Kilwardby.

Robert Kilwardby, like his predecessor, Edmund, received his primary education at Oxford, and proceeded thence to the University of Paris. Chaucer said, in his time, "Sundry schools maketh subtil clerks;" and, as we remarked in the life of Edmund Rich, it was customary for scholars to graduate at more universities than one. From Paris, where he graduated in arts, Kilwardby returned to Oxford. His residence at Paris introduced him to the Dominicans, who formed a powerful party in that University. Influenced by them, he returned to Oxford, resolved to make theology his special study, and, through it, to prepare for a higher vocation.

There was, at this time, a building, newly erected, at Oxford, in the parish of St. Ebbe's. It was situated on one of the many small islands into which Oxford was, at this time, divided. It had a pleasant locality, near the Watergate, which was commonly called the Little Southgate. A small stream divided it from the street called Grandpont; and, by another branch, it was separated from Slaying Lane, on the north. The south and west lay towards sundry little channels of the Isis, and were open to the country. Thither the Dominicans had migrated, from the house in which they had first settled, in 1221, in the southern quarter of the city, in what was called the Jewry, in the parish of St. Edward.* To this house Robert Kilwardby repaired, on his return to Oxford, and entered himself as a Dominican friar. The Dominicans, or Black friars, obtained a settlement in England in the year 1221, and they were immediately patronised, as were also the Franciscans, by Stephen Langton. The practical mind of Langton perceived, at once, that the preaching friars were those,

* Wood, ii. 736. Stevens' Monasteries, ii. 204.

CHAP. V.

Robert Kilwardby. 1273-78.

whose mode of operation was peculiarly adapted to the exigencies of the age.

They had proceeded, on the year of their arrival, to Oxford, and had already established a high reputation. In these, the early days of their respective orders, the Dominicans and Franciscans were not drawn up in hostile array, to contend, Thomists against Scotists, Nominalists against Realists; neither had the figment of the Immaculate Conception of the Virgin been brought forward, as it afterwards became a subject of most bitter controversy. The Dominicans took their place, among men of learning, in the University, and were already true to their symbol, *Domini Canes*, a dog carrying off the torch of truth.* The Dominicans at Oxford had already agreed upon a division of labour; some devoted themselves to theological, and others to philosophical, investigation. Robert Kilwardby attached himself to the theologians. Acting on the principle of the founder of the order or sect, for such, in fact, it was, he devoted himself to maintain, expound, and illustrate, the doctrine of the Church.† He commenced with the study of the Bible, and then proceeded to the original writings of the Fathers.‡

* As the Franciscans claimed to be followers of St. John, the apostle of love, so the Dominicans founded their churches in honour of St. Paul, the apostle of the faith. But the zealous distribution of the rosary among the people, which, if not invented, was completed, by Dominic, and of the psalter of Mary, is sufficient to enable us to understand how much the religion of the day had deviated from the simplicity of the Gospel.

† The life of Dominic, by his successor, Jordanus, first general of the order of Dominicans, is to be found in the Bollandist Acta Sanctorum, August 4, vol. i. p. 545, &c. The authorities here consulted are Hist. des Ordres Monastiques. Reyner Apostolatus Benedict. in Angl. Trivet. Holstein's Codex, iv. 10, *et seq.*

‡ Mat. Paris, iii. 360.

From the pulpit of the church, and the desk of the lecture-room, he treated theology as a science; and, by his pure and holy life, he gave proof, that his religion was not a mere science, and nothing more. It was in him a sentiment also, which influenced his every action. When he had taken his doctor's degree, he taught in the schools, and had among his pupils, Thomas de Cantilupe, the last Englishman canonized by the Pope.

The statutes of the Dominicans required the appointment, by election, of priors, provincials, definitors, and one general. The high estimation in which Kilwardby was held by his order, is shown by his election to the office of provincial; an office which he was permitted to retain for eleven years.

Nothing can more clearly prove the popularity of the mendicants, at this time, and the veneration and respect which were conciliated to the leading members of the fraternity, through their popular talents and self-denying piety, than the fact of their being able to maintain their ground in England, notwithstanding the strong anti-papal feeling which we have seen to be prevalent, during the greater portion of the third Henry's reign. Kilwardby was devoted to the interests of the see of Rome.* He was himself collector of the pope's moneys in England, when any grants or subsidies had been obtained. But it is to be remembered, that the opposition to the pope had been solely on political, and not upon religious, grounds; and that a reactionary, though partial, movement had taken

* Parker quotes a letter, in which he says to the pope, "Pater sancte, opus et creatio manuum vestrarum ego sum, et ecclesia mea, ecclesia vestra—bona mea, bona vestra. Dispone, ergo, de ecclesia mea, et de bonis meis sicut de bonis propriis." This may, however, have been only the language of compliment.

CHAP. V.

Robert Kilwardby. 1273-78.

place in the public mind, when the pope left France, and had returned to Italy.

Kilwardby had just been re-elected provincial of his order, when the see of Canterbury became vacant, by the death of Boniface. Kilwardby had no expectation of being appointed to the vacant office. The choice of the monks of Canterbury had fallen upon their prior, Adam de Chillendene. The Crown nominated Robert Burnell,* the chancellor of Prince Edward, one of the greatest and most popular statesmen of the age; of whom, it was said, "Regi tam utilis, plebi tam affabilis, omnibus amabilis; vix nostri temporibus illi similis invenietur." †

The young prince was on board the fleet at Portsmouth, preparing to start for the Holy Land.‡ When he heard that the chapter of Canterbury declined the appointment of his secretary and friend, though mentioned in the *congé d'élire*, he hastened to Canterbury.

* Robert Burnell was the son of Robert Burnell, of Acton Burnell, in Shropshire. In 1265, we find him acting as secretary to Prince Edward. In 1269, he was, with Prince Edward, signed with the cross. He practised as a lawyer at Westminster. Soon after the accession of Edward I. he was raised to the chancellorship, the great seal being delivered to him on the 21st of September, 1274. He held it till his death, and retained the confidence of his royal master to the last. He was a minister worthy of the confidence of such a king as Edward, and was one of the greatest statesmen our country has produced. At his manor house, at Acton Burnell, where the king was on a visit to him in 1283, the Statutum de Mercatoribus was passed. The remains of the room, in which the statute was enacted, still exist. He was canon of Wells, of St. Paul's, of York, and was archdeacon of the East Riding, before his election to the see of Bath. He was consecrated Bishop of Bath, at Merton, on the 7th of April, 1275, and died October 25, 1292.—Trivet, 306, Fuller's Worthies, ii. 256. Wikes, 101, 108, 125. Ann. Waver. 230, 234. Decem Scriptores, 1339. Foss. Stubbs.

† Ang. Sac. i. 514.

‡ Wikes, 92.

The monks, being apprised of the prince's approach, determined to complete the election of their prior before the arrival of Edward. As the election was likely to be disputed, it was necessary, that all the proper forms should be observed. The preliminaries were not completed before Edward was in Canterbury. The monks assembled, in trepidation; and, to guard against intrusion, bolted and double-locked the doors. But young Edward cared little for bolts or locks; or, when they impeded his will, for forms and ceremonies. In spite of bolts, and bars, the prince was seen standing in the midst of the monks. His command was uttered, that they should proceed immediately to the election of Robert Burnell. There was dignity in the reply of the chapter; and, perhaps, without intentional hypocrisy, but merely reverting to the formulary, they said, that their choice must fall on the man suggested to them by inspiration of the Holy Ghost. Edward left them in anger, having warned them that to no one would the sanction of the Crown be accorded, but to Robert Burnell. Adam de Chillendene was nevertheless elected.*

The royal assent being withheld, the Prior of Canterbury had to proceed to Rome, that the pope might decide between the two opposing parties. Tebaldo Visconti had been elected pope, in 1271; and now reigned under the name of Gregory X. He was a good, pious, and public-spirited man. But, of course, he believed that he was advancing the public good, when he was establishing the papal power. England had been vehemently anti-papal. The feeling against the papacy was not, however, so strong as it had been, when a man like Gregory X. was exhibiting an example of Christian excellence. The Government

* Cotton, 145. Wikes, 92. Everisden, 205.

CHAP. X.

Robert Kilwardby. 1273-78.

of England was weak, and subservient to the papacy. The mendicant orders were still popular. Among the mendicants, no one's character stood higher than that of the English Provincial. Gregory X. was a personal friend of Prince Edward. Under all these circumstances, he thought it would be a safe compromise to bring forward Robert Kilwardby, as a candidate for the see of Canterbury. Adam de Chillendene was persuaded to retire, and Robert Kilwardby was proposed. The proposal met with universal approbation.* The friars were the most popular sect of the day. Kilwardby was respected, not only as a man of piety, but as a man of learning. He had not been mixed up with the strong politics of his country; and he was obnoxious, therefore, to neither party at home.

On the 26th of February, 1273, the Dominicans were delighted to see a Black friar, advanced to the chair of Augustine. To prevent the disputes which sometimes occurred, as to the prelate to whom it belonged of right to consecrate a primate, Kilwardby obtained permission to choose his consecrator; and made choice of the Bishop of Bath, who was assisted by twelve of the suffragans of Canterbury.†

* Godwin, 96, says that a proviso was made by one of the king's clerks, "Ne consimilis electio trahatur in consequentiam consuetudine vel exemplo." His authority is a statement on the back of one of the Close rolls. This implies the king's assent to the compromise, provided the course pursued by the pope, in nominating a bishop, were not turned into a precedent.

† William Button, or de Bitton, was Bishop of Bath at this time. He had been Archdeacon of Wells in 1248, appointed by his uncle, of the same name, who was also Bishop of Bath and Wells, and was accused of nepotism. He was consecrated in 1267, and died December 4, 1274.—Reg. Wellen. Wikes, 77. Le Neve. Stubbs.

It is unpleasant to record, what appears to be harsh in the conduct of the new primate towards his late rival. Adam de Chillendene had expended 3,000 marks, in endeavouring to obtain the confirmation of his election at Rome. When the election was quashed, he applied to the papal court to be refunded. This repayment is always considered at Rome as a troublesome affair. The pope, therefore, kept the money which had been paid into his treasury, and decreed that the expenses should be paid by Kilwardby. The prior made his demand upon the archbishop. The archbishop met the demand by instituting an inquiry into the life and morals of the prior. A compromise was, however, at length effected: the archbishop desisted from his inquiry, and the prior remitted the payment of 1,300 marks.* The affair looks ill for Kilwardby; for the compromise must convince us, that no principle was involved in the dispute.

Of the political events in which Archbishop Kilwardby was engaged, there is not much to be said. In August, 1274, he was summoned to London, to officiate at the coronation of King Edward and his queen. Never was king more worthy of the sacred unction, by which he was consecrated to his office, than the great King Edward; and never was head more worthy of the crown matrimonial, than that upon which the golden circlet was now placed, by Kilwardby. The royal crusaders had been welcomed to the metropolis with an enthusiasm, on the part of all classes of the people, which has seldom been equalled, never surpassed. The streets were hung with

* This is a statement made by Parker, but he does not give his authority. Collier says, that the archbishop, in his first year, made some regulations for the Court of Arches, and digested them into five articles; but his authority is not given.

CHAP. V.

Robert Kilwardby. 1273–78.

tapestry. The conduits were flowing with wine. As the English archbishop passed through the city, where he was known and beloved, his chaplains followed the example of the barons, who had preceded him, and scattered handfuls of silver among the applauding populace. By hospitality, in those days, was meant, literally, keeping open house and feasting all comers. The present festival lasted for a fortnight, during which time there were consumed 380 head of cattle, 430 sheep, 450 pigs, 18 wild boars, 278 flitches of bacon, and about 20,000 fowls.

The only occasion when, during his short episcopate, the archbishop was engaged in a political transaction, was when, in 1276, attempts were made to bring Llewellyn, the Welsh prince, to terms. The archbishop addressed to him a letter, thought to be persuasive, but it did not persuade Llewellyn.* The archbishop met with better success, when he interposed between the citizens of Canterbury and the monks of Christ Church, in a controversy, which the present Welsh war occasioned. A contingent of twelve horsemen for the army was required of Canterbury. The bailiffs and citizens demanded of the chapter of the cathedral, that they should lend their aid in meeting, what was in point of fact, a local tax. The monks replied, that they were exempt from the tax, unless an express demand were made upon them by the king, with the consent of the archbishop. They affirmed, that their church had been founded by the kings of England, in free and perpetual alms.

The Black friars always, at this time, took the side of the people against the dignitaries of the Church, and especially against the monks, by whom the friars were regarded with hostile feelings. The citizens of

* Collier says he excommunicated him, ii. 546.

Canterbury held a public meeting, within the precincts of the Dominican church. William Childham, the bailiff, presided, and the following resolutions were passed :—

1. That they would overthrow the pentises, windows and miln, belonging to the monks.
2. That no citizen should dwell in any house belonging to the monks.
3. That all rents belonging to the monks of Canterbury should be gathered to the use of the Commons.
4. That no man should send or sell to the monks any victuals.
5. That they should seize all the horses and beasts that came into the city with carriage to the monks.
6. That all such monks as came forth of their house should be spoiled of their garments.
7. That a trench should be cast, to stop all men from going in or coming out.
8. That every pilgrim should, at his entering, swear that he should make no offering.
9. Also that every of those Commons aforesaid should wear on their finger a ring of gold that belonged to Thomas Becket.*

This was, in fact, a declaration of war between town and gown—the city and the close. The archbishop succeeded in establishing peace. His mode of proceeding, or the terms upon which peace was restored, are not mentioned; but we see at once, how well qualified he was to act as the peace-maker. Himself a friar, he was sure of being heard by the people; and, by his office, as the head of the monastery, he could influence, if not control, the monks. He was a man who united a determination of character with a conciliatory temper; and, on this occasion, he was sure to act with the single view of appeasing the

* Somner, 58.

HAP. V.
Robert lwardby. 73-78.

discord; as he could, to a certain extent, sympathise with both parties, while desiring to give a triumph to neither.

In ecclesiastical affairs, there were things done during this short episcopate, which would not have been tolerated a few years before, and which would, certainly, have excited the royal indignation at a later period of King Edward's reign. The pope granted a tenth of all clerical revenues to the Crown, for three years; but it was known that these funds were to be devoted to the repayment of the expenses incurred by Prince Edward in Palestine, and no disturbance ensued.* In 1272, when Raymond, a Gascon, was in England, to raise a tenth for two years; the object of the pope, in raising funds for a real war, to rescue Palestine from the infidels, and his discretion in meeting demands which might be made upon the fund for English purposes, secured him a less unfavourable reception than that which usually attended a nuncio of the pope.†

When, in 1274, a second council was demanded, to meet at Lyons, the high character of Gregory X. secured an attendance, such as the more powerful talents of Innocent IV. had been unable to command. Only one hundred and forty bishops were present at the first synod of Lyons, in 1245. Five hundred bishops, and fifteen hundred prelates—if we include, under that denomination, the abbots, and other dignitaries of the Church—rallied round Gregory X. when, in 1274, he sought counsel and assistance, first, to send relief to the Holy Land; secondly, to effect a reconciliation between the Latin and the Greek Churches; and, thirdly, to rectify discipline, especially in the election of popes. The Archbishop of Canterbury,

* Wikes, ad an. 1273.

† Mat. Westminster, ad an. 1272.

attended by his suffragans, was present. The English friar, representing the dignity of the Church of England, took his place among the great men of the world. There were fourteen cardinals; there were ambassadors from every state in Europe; the King of Arragon attended in person. In the fourth session, were introduced, the ambassadors of Michael Palæologus, the Emperor of the East. Kilwardby listened with deep interest, as they read a letter from the emperor, their master, in which he accepted the doctrines of purgatory, of transubstantiation, and of the seven sacraments; and, as the council regarded it, the more important fact of the Roman primacy.* The heart of the friar—the Oxford scholar—glowed within him, as he listened, amid the profound silence of entranced congregations, to the eloquence—the last expiring flame—of one of the mightiest intellects of the age. Bonaventura, the seraphic doctor, Eustochius or Eutychius, as the Greeks called him,—had studied under our own countryman, Alexander Hales, styled, among schoolmen, "the irrefragable doctor." Bonaventura was a Franciscan, but all parties already looked upon him as a saint, dear to God and man. He was now the general of his order.† The Greek deputies were enthusiastic in their admiration, and were cordial in the expression of their desire for the union of the two Churches. They produced a letter, signed by

* Delahogue, De Eccles. p. 278.

† Bonaventura, at one time, pointing to a crucifix, said, "This is the source of my knowledge; I study only Jesus Christ, and Him crucified." Well would it have been for Bonaventura himself, and for the Church, if he had adhered to this principle. But, unfortunately, his veneration for the Blessed Virgin became Mariolatry, and his writings conduced very greatly to the promotion of that superstition. Nevertheless, by Luther himself, Bonaventura is spoken of as "Vir præstantissimus."

HAP. V. obert wardby. 73–78.

thirty-five bishops of the Greek Church, who concurred in the wish, so strongly expressed by themselves, and by Bonaventura. The general of the Franciscans quitted the council, exulting in the thought, that he had been permitted to do something towards the promotion of unity in the long-divided Church.* He retired to his lodging, and died.

But there was one whom Kilwardby revered and loved yet more enthusiastically—a Dominican—the glory of his order. Where was he? Where was the angelic doctor, the pupil of the Dominican, Albertus Magnus, but a pupil greater than his master, the Bos Magnus Siciliæ, the friend and counsellor of St. Louis —where was the massive form, the mighty mind, of Thomas Aquinas? He had been summoned to the council. It was known, that, so early as in January, he had started from Naples, to obey the summons. The Dominicans were eagerly awaiting his arrival—

* The expectations of a union between the Churches were not to be realised. The deputies at the Second Council of Lyons were not the representatives of the Greek Church, but merely of the Greek emperor, whose political affairs made him desirous of purchasing peace with Rome, at any price. (See Raynald, Annales, 1339, n. 21; Bzovii, Annales, i. 24.) The Patriarch of Constantinople, the pope of the Greek Church, refused to attend the Council of Lyons, or to send a representative. The emperor deposed him, but in seven years' time, the Patriarch Joseph was restored, and the agreement between the pope and the emperor came to an end; the emperor forbidding the pope to be prayed for at Constantinople, and the pope (Martin IV.) excommunicating the emperor. The Patriarchs of Constantinople and Antioch, whom some writers mention as being present at this council, were Latin bishops, whom the Crusaders forced on these Churches in express violation of the canon. See Le Quien, Oriens Christ. i. 285—288; and Mosheim, iii. 183, 184. This synod was never accounted œcumenical in the East. It was not reckoned œcumenical even by some of the Latin writers. See Launoii Epist. viii. xi.; Contareni, Opera, p. 563.

expecting him, at once to convince the enemies of the Church, and to place their own order, represented by him, in that high position, to occupy which they regarded as the legitimate object of a pious ambition. But intelligence had reached our archbishop, that the greatest of the Dominicans had been attacked by a fever at Maganza, where he had stopped to visit his niece; that he had been carried to Fossa Nuova, a Cistercian abbey, near Terracina; and the sad news came at last, that he had expired there on the 7th of March. He, whose works were already studied, which are studied, by the really learned, even in the nineteenth century, whose Aurea Catena has been translated into English, for the less learned of our theologians —he died at the early age of forty-seven. It was reported, that, in his last illness, he had professed his faith in the Lord Jesus Christ, his God and his Redeemer, saying, "I trust that I never advanced any text as Thy Word, O Lord, which I have not learned of Thee. If, through ignorance, I have done otherwise, I revoke everything of the kind."

In 1274, the archbishop announced his intention to hold a visitation of his province. On the 26th of November, he was at Winchester, where he was received, with due respect, by the bishop, who headed the procession, which met him on his entrance into the city.* The people received, with enthusiasm, the first friar, who had been advanced to the archiepiscopate. On the third and fourth days, he held his visitation, in the priory of St. Swithin; on the fifth day, in the abbey of the Nuns of the Blessed Virgin Mary, in the same place; and on the 3d of December, in the abbey of Hyde. He kept Christmas at Byterne,

* Annals of Winchester, 1274; also Ann. Wav.

HAP. V.

obert wardby. 73–78.

a manor of the Bishop of Winchester, near Southampton.*

In 1276, the archbishop visited the University of Oxford. He was well aware, that a reform was, at this time, necessary at this seat of learning. Notwithstanding what we are about to relate, we still speak of Oxford as a seat of learning, for here some of the most learned men of the age were pursuing their studies. But, in every school, there will always be a majority among the young, whose question will be as to the minimum, which will suffice to save them from disgrace, or to secure a degree; an educational institution is, therefore, well conducted, if it enforces a high minimum—an excellence, which may be easily surpassed by genius, but which untalented industry, though not without difficulty, may reach. Genius is independent of universities, and seeks them only as the arena for exercise. It is for men of ordinary ability, that their regulations must be made; and, in being contented with too little, Oxford was now to blame.

* Nicholas of Ely was at this time Bishop of Winchester. He had been translated from Worcester in 1268, having been consecrated to the last-mentioned see in 1266. In October, 1260, the great seal was placed in his hands by the barons, when he was Archdeacon of Ely. (Rot. Pat. 44 Henry III. M. 2.) The great seal was taken from him by the king in the following July; but, on delivering the seal to Walter de Merton, the king, by a separate patent, recommended Nicholas for his good services. He subsequently made him his treasurer, and, for a short time, replaced him in the office of chancellor. He was a special friend and benefactor to the Cistercian Abbey of Waverley, near Farnham; and, when the church was rebuilt, in 1278, he performed the dedication of it, and entertained, entirely at his own cost, the numerous company who flocked to it, during the octave of that festivity, amounting, according to the "Annals of Winchester," to seven or eight thousand persons. Two years after he died, and was buried in the church of Waverley.—Wikes, 108. Annal. Win. Foss, ii. 315. Milner, i. 189.

The archbishop, on arriving at Oxford, preached the University sermon. He then entered the schools, and disputed, with great skill, not only in theology, but, also, in philosophy and logic. He complained of the careless manner in which the most absurd errors were permitted to pass current, and, with consent of the regent and non-regent masters, he made some stringent regulations for the punishment, degradation, and even expulsion, of those masters, or bachelors, who continued to neglect their duty.* As a specimen of the errors he found prevalent, we may give the following :—

In Grammar :

"Ego currit, tu currit, currit et curro," which they equally held congruous.

"Item, currens est ego, et ego curro ; Socrates legere, sicut Socratem legere," &c. and so in every case, with divers others of the like nature.

In Logic :

"Cujuslibet hominis asinus currit, et asinus cujuslibet hominis currit.

"Item, quod signum non distribuit subjectum in comparatione ad prædicatum.

"Item, quod veritas cum necessitate prædicati, tamen est cum substantia subjecti.

"Item, quod non est ponere demonstrationem sine rebus existentibus.

"Item, quod omnis propositio vera de futuro, est necessaria.

"Item, quod terminus cum verbo de præsenti distribuit pro omnibus differentiis temporum.

"Item, quod ex negativis de prædicto finito, sequitur affirmativa de prædicato infinito sine constantia subjecti," &c.

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* Wood, i. 306. Stephen, Bishop of Paris, found similar absurd errors current in the University there, and adopted measures of reform, corresponding with those of Kilwardby.

CHAP. V.

Robert Kilwardby. 1273–78.

In Natural Philosophy:

"Quotquot sunt composita, tot sunt omnino principia prima.

"Item, quod intellectiva introducta corpori corrumpit vegetativa et sensitiva."

There was another event, in which the archbishop took a prominent part. On the 16th of June, 1276, he came to Chichester, accompanied by many of his suffragans, and by clergy from all parts of England. He assisted at the translation of Richard de la Wych, of whom mention has been frequently made in the foregoing pages, and who had been proclaimed a saint by Urban IV. on the 22d of January, 1261.

Richard, thenceforth called St. Richard of Chichester, the chancellor and friend of Edmund, was, like Edmund, canonized in the hearts of his countrymen, as a patriotic Englishman, long before his name was placed in the calendar by the pope. He resisted the tyranny of Henry III. but did so with meekness and forbearance. While the king withheld from him the temporalities of the see, and Richard, though bishop of the diocese, depended upon alms for his support, he performed, punctually, the duties of a diocesan. The fact of a diocesan, devoted to his duties, while upholding the laws of good King Edward, endeared him to the people.* When, at length, he was put in possession of the property of the see, his hospitality and almsdeeds were profuse.

* Bishop Richard had been as ready to resent the extortionate pretensions of the pope as of the king. When the Bishop of Lincoln, in 1252, led the opposition to the scheme of collecting the tenths for three years, for the king's use, by papal authority, the Bishop of Chichester, without delay or hesitation—"alacriter et incunctanter"—eagerly concurred with him, even though the collections purported to be for the Crusaders.—Mat. Paris. See Sussex Archæol. Coll. i. 189.

Archbishop Kilwardby superintended the removal of his body from the tomb into the shrine—*scrinium*—a silver-gilt chest, prepared for the occasion.* It was removed, probably, to the east end, behind the high altar, although the site of the shrine is not now actually known. It was certainly set upon a high pedestal, with a moveable cover, which could be lifted up on special festivals. At the head of the shrine, the archbishop consecrated an altar, that devotions might be, from that time, offered to the new saint.

The attendance of King Edward, on this occasion, evinced his sympathy with the national feeling, and was intended to make some amends for the injustice of his father. Henry III. having appropriated to his own use the revenues of the see, for two years, promised to refund the money; but, as his manner was, had that kind of memory, with regard to promises of payment, which is said to be peculiar to debtors. Edward I. on this occasion, directed the sum of 200*l.* to be paid to the executors of Bishop Richard, and presented to the shrine four large gold brooches.

The high station in the Church, to which Kilwardby

* A tomb was, till lately, pointed out in the cathedral as that of St. Richard; but it has been shown by archæologists, that this was not the locality. He was buried, in accordance with his will, in the nave of the cathedral, near the altar of "the Blessed Edmund the Confessor"—Edmund Rich—which he had himself erected against one of the piers. See a paper by Mr. Blaauw, in the *Gentleman's Magazine* for 1847. The arguments adduced by Mr. Blaauw are confirmed by the high authority of Professor Willis, in a note to his *Chichester Cathedral*. The same learned writer has reprinted and translated the will of Bishop Richard, in the first volume of the *Sussex Archæological Journal*—a work of great research.

CHAP. V.

Robert Kilwardby. 1273–78.

was advanced, did not render him forgetful of his obligations to his order.

When the Dominicans first appeared in England, they required for their residence no house superior to a hovel; and their whole establishment in the suburb of Holborn was of the humblest description. Hubert de Burgh, however, became their patron, and bequeathed to them his house, which stood then, on what is now the site of Whitehall. This they sold, in 1248, to Walter de Gray, Archbishop of York; and it became York House, until it was forfeited, by Wolsey, to the Crown. In 1276, the court of Aldermen gave them two streets extending from the end of the Old Bailey to the Thames—that locality which is still known as Blackfriars. This site was soon occupied by a magnificent range of monastic buildings, with the cloisters, the dormitories, the scriptorium, the refectory, the chapel, and a hall, which was so spacious and so well situated, that, as we shall hereafter see, it was frequently used for public meetings, and even as the council chamber of princes, peers, and prelates.* The locality which now presents the busiest scene in London, where all is noise and bustle, where, amidst carts and carriages, active men are hastening to get rich, and the beggar scarcely dares to show his face,—was, in the 13th century, occupied by grounds and gardens, redolent with all that is beautiful and useful in vegetation, sloping down to the majestic and unpolluted river; where the friars, with their white tunics, covered by black woollen gowns, were to be seen walking in silent meditation, or preparing to go forth, sturdy beggars, or out-door preachers, whom no

* The Parliament sat here in 1450 and 1524.—Stevens, ii. 191. See also Pennant, 227.

one might, in either of these vocations, disturb with impunity.* But this domicile of the Blackfriars was not a mere *rus in urbe;* it was an *imperium in imperio.* The precinct was large, and within its spacious walls was, in point of fact, a little town, containing a large number of shops. These shops were necessary, to supply the demands of a population not widely differing in character from that which has possession of our modern Blackfriars. The largest immunities were conferred upon the Dominican community. Its inhabitants were free from the jurisdiction of the city authorities, and were subject only to the king, the superior of the house, and their own justices. It was a sanctuary for debtors, even for malefactors—a refuge for all who fled from the arm of the law. It was entered by four gates, under four towers. Those gates were open, to receive kings and counsellors, who shared the hospitality of the establishment, while they discussed the affairs of the nation. They were not unfrequently opened, at the tolling of the bell, to receive, arrayed in the habit of the order, the body of some proud lord, who hoped to escape the penalty of his offences, by covering the corpse of a wolf-like nature with sheep's clothing.

We shall have so frequently to refer to this establishment, that we have anticipated its history; though, when once the foundation of the house was laid, so many hands were employed in its erection, that it speedily rose to the fulness of its mediæval grandeur. For their house, and especially for their splendid chapel, the Dominicans are said to have been indebted to the munificence of Archbishop Kilwardby, assisted

* For beating a friar—a Franciscan—in Fleet Street, Geoffrey Chaucer was fined five shillings, a sum equal to more than five pounds of our present money. Orig. Mem. in Speght.

CHAP. V.

Robert Kilwardby. 1273 78.

and encouraged by the benefactions of Edward I. and Eleanor, his queen. If, however, the site was not given till 1276, the work must have been unusually rapid, if it was completed before Kilwardby died, for his death occurred in 1279. He probably laid the foundations, directed the first operations of the builders, and left money for the completion of the work; commending it to the care of a king, whose practical, as well as pious mind, was naturally interested in the welfare of a body of men, who were doing the real work of the Church.

We have a curious instance of the manner in which the mendicant orders, in spite of their vow of poverty, were enabled to give a series of entertainments; and to show hospitality to the rich, as well as charity to the poor. In the year 1240, 400 Dominican fathers assembled in council in the suburbs of Holborn: how were all these mendicants to be fed? On the first day, Henry III. was present in the chapter; and, when business was concluded, himself a guest at the table he replenished, the dinner was supplied at his expense. On the following day, the queen incurred the expense; on the third day, the Bishop of London; on the fourth, the Abbot of Westminster; on the fifth, the Abbot of St. Alban's; on the sixth, the Abbot of Waltham: and thus, instead of subscriptions in money, the magnates of the realm sent to the hungry friars fat oxen, and *pecus* instead of *pecunia*. The clergy of the large towns, in the present age, at some of their parochial gatherings, act on the same principle; only the supply afforded by the rich parishioners, for the entertainment of poorer brethren, has reference chiefly to tea and cake.

In 1278, the papal throne was occupied by John Gaetan Orsini, under the name of Nicolas III. It was

his policy to encourage the mendicants—a popular sect, dependent for its exclusive privileges on the favour of the pope, and prepared, in every country, to uphold the interests of the Roman Curia. Gregory X. had obtained the Primacy of All England for a friar; Nicolas III. now determined to advance that friar to the cardinalate. Robert Kilwardby was nominated Cardinal Bishop of Portus, with the title of St. Rufina. On being named a cardinal, he resigned the see of Canterbury, taking with him, Somner informs us, a fortune of 5,000 marks. If he took that sum with him, it is very probable, that the authorities at Rome obtained possession of it; but it is more probable, that it was money saved to enable him to carry on the works at Blackfriars. He committed a worse robbery, if it be true, as it is said, that he carried to Rome the registers of all the archbishops who had preceded him in the See of Canterbury. He survived his resignation only a few months. He died at Viterbo, not without suspicion of poison. Why the poison should be administered, unless it were to obtain the 5,000 marks, it is difficult to surmise. His death occurred in 1279, and he was buried in the monastery of his order.

He was a voluminous writer. I give the list of his works from Tanner :—

De octo partibus orationis. Quæstiones dialecticæ. De tempore. De universali. De ortu, alias divisione scientiarum (opus tum elegans, tum ingeniosum). De conscientia et synteresi. In sententias (quarum et *Tabulam* perscripsit). In Ezekielem. In Epistolam Pauli ad Romanos. In Epistolas ad Corinthios. Capitula diversorum originalium. Commentarii in Porphyrium. In prædicamenta. In libr. perihermenias.

CHAP. V.

Robert Kilwardby. 1273-78.

In libr. priorum. In libr. posteriorum. In libr. elenchorum. In libros topicorum. In libros physicorum. In libros de cœlo et mundo. In libros de generatione et corruptione. In libros de anima. In libr. meteororum. In libr. metaphysicorum. In Boëtium. Chronicon fani Albani. *

* Tanner, Bibliothec. Brit. 456.

CHAPTER VI.

JOHN PECKHAM.*

A Sussex Man.—Educated at the Priory of Lewes.—Afterwards at Oxford.—Introduction of the Collegiate System.—Oxford Expenses.—Oxford Outfit.—Goes to Paris.—A Professor at Oxford.—Becomes a Franciscan.—His Works.—Provincial Minister of the Franciscans.—Visits Italy to study Canon Law.—Canon of Lyons.—Auditor Causarum at Rome.—Appointed to the See of Canterbury.—Demands upon the Income by the King and by the Pope.—Controversy with Archbishop of York.—Controversy with the Monks of St. Augustine's.—Constitutions.—Visitation.—Claim of the Bishop of St. David's.—Visits Lewes.—Visits Oxford.—Rationalistic tendencies.—Description of a Visitation.—Mission as Ambassador to Llewellyn.—Statute of Mortmain.—Its Author, Bishop Burnell.—Statute Circumspecte Agatis.—Complaint against the Judges.—Persecution of the Jews.—The General of the Franciscans advanced to the Papacy.—Peckham dies at Mortlake.

WHETHER the family of Peckham came originally from Peckham, in Kent, or from Peckham, in Surrey, there can be little doubt that John de Peckham, who afterwards became Archbishop of Canterbury, was a

* Authorities—We obtain the little that is known of John Peckham from Nicolai Triveti Annales. Walsingham, Hist. Mat. West. Chron. Lanercost. Chronicon Thomæ Wikes. Annales de Dunstable. Annales Waverlienses. Monumenta Franciscana. Liber Pont. Exon. Peckham's Register in the Lambeth Library—and the work quoted above, "Annals written by a certain Monk of Lewes, from the Birth of Christ, to the year 1312," among the Cotton MSS. A portion of the early history of the Lewes Priory is translated with his usual precision, by Mr. Blaauw, and published in the second volume of the Sussex Archæological Society.

CHAP. VI.

John Peckham. 1279-92.

Sussex man.* We learn from "the Annals written by a certain Monk of Lewes, from the Birth of Christ, to the year 1312," that the family of Peckham occupied an important position in the town of Lewes. They were among the benefactors of the celebrated priory there established. Certain entries in these annals confirm the tradition, that of this priory John de Peckham was once an inmate; but it does not clearly appear in what character. The Benedictine, or Cluniac Monastery of Lewes, was founded by the piety of William de Warrenne, in the reign of the Conqueror.† It stood on the site of an old wooden church, erected by the Saxons, and was dedicated to St. Pancras. The title of St. Pancras indicated its character as a school. When the Norman monks were imported by the founder, William de Warrenne, his retention of the title, St. Pancras, was intended to denote that education was still to be the primary occupation of his monks. At this school, John Peckham, who was born about the year 1240, probably received the rudiments of that learning for which he was afterwards distinguished.‡

* Cave, Hist. Lit. 740, says, "natione Anglus, patria Sussexiensis, ex infima stirpe apud Cicestrienses natus." He gives no authorities.

† One of the manuscripts preserved by the monks in their chartulary, records the extension of their territory, by the acquisition, on the part of their founder, of "all the land and the island near Lewes, which is called Southye," exchanging them with Ralph de Insula, for "all the messuage and land tenanted by Martin de Peccham, together with pasture for eight oxen, where Warennes own oxen pastured," on the easy tenure of delivering, every nativity of St. John the Baptist—June 24,—ten "arrows barbed, shafted, and feathered."

‡ Parker gives the date of his birth as 1240, but does not give his authority; he asserts positively, "In Cœnobio de Lewes puerilem

It is more certain that he went, at an early age, to Oxford; and he entered Oxford just at that period when the collegiate system was first introduced. The system of colleges, of certain *imperia* within a sovereign *imperio*, is a peculiarity, at the present time, of the Universities of England, unless it be shared by those of Spain.* The honour of having introduced this

instructionem accepit." The tradition on the subject seems to be fully confirmed by the MSS. quoted by Mr. Blaauw.

* At Louvaine, there are, I know, and probably in other universities in the Low Countries, there may be, colleges, but they are not of the same character as ours. They are separate schools for the different professions. For documents relating to the foundation of Merton College, the reader is referred to Bishop Hobhouse's sketch of the life of Walter de Merton. It is customary with the ignorant, or the vulgar, to speak of our colleges as monastic institutions, but, as every one knows, who is acquainted with the history of the country, the colleges, with very few exceptions, were introduced to supplant the monasteries. Early in the twelfth century, the opinion began to prevail, that the monasteries were no longer competent to supply the education, which the improved condition of society demanded. The primary object in the monastery was, to train men for what was technically called "the religious life,"—the life of a monk. Those who did not become monks availed themselves of the advantages offered them in the monastic schools; but still, a monastic school was as much designed to make men monks, as a training school, at the present time, is designed to make men schoolmasters, although some, who are so trained, betake themselves to other professions. The object of Walter de Merton, and those founders who trod in his steps, was to educate men as secular clergymen, or for the world. Walter intended his beneficiaries to go forth *in sæculo*, and to acquire preferment and property, "si quis in uberrimam fortunam devenerit." From monasteries was taken the idea of a corporation, or of an aggregate body living by common rule, and under a common head, and invested with certain privileges; but no vows of perpetual obligation were required; on the contrary, they were prohibited. Due attention was paid to the offices of religion, but, instead of consuming the time of the scholars in ritual observances, the duties of the sanctuary were made to devolve on special chaplains. For

CHAP. VI.

John Peckham. 1279-92.

system, is conceded to a man, who, by his virtues, his learning, and his talents, won the respect and esteem of his contemporaries, and, by his munificence, the gratitude of posterity—Walter de Merton. The name of John Peckham occurs in the register of Merton College; but not with sufficient precision to show that he was educated within its walls. His mind was early attracted to the mendicant orders, at this time in the zenith of their popularity, usefulness, and learning. To the collegiate system, in his dislike of the monks, he gave in his adhesion; but his enthusiasm and zeal were reserved for the mendicants.

The reader will be interested, probably, in knowing what were the expenses of a scholar at Oxford, at this time. We are not able to state the allowance made to Peckham, or to name his patron; though it is not unlikely, that he was indebted for his maintenance to the munificence of his bishop. We will give, therefore, the table of the expenses, as incurred by two young men, who were patronized by Bishop Swinfield, Bishop of Hereford. They were so near the time of Peckham that they may be regarded as his contemporaries. The surname of those youths, in modern orthography, was Kingswood; their Christian names, respectively, Richard and Robert. The sundry disbursements made for their board, lodging, and, probably, clothing, during the greater part of a year, have been collected by

For economical reasons, a simple diet was prescribed, yet no asceticism, the very life of monasticism, was enjoined. Although the candidate for a fellowship was required to show that he could not afford to maintain himself, yet voluntary poverty, another monastic virtue, was not regarded as necessary in a college of seculars. To meet the exigencies of the times, the collegiate system suggested itself to the practical mind of Walter de Merton, who, though Bishop of Rochester, was a lawyer rather than a divine, and in the year 1258, was Lord Chancellor of England.

Mr. Webb,* from the intermixture of other matters, and appear as follow:

	£	s.	d.
By Stephen de Tanet, and John de Kingeswod, probably their father, about Michaelmas and All Saints	2	13	4
By John de Sceluing, through the Chancellor, from All Saints to Jan. 4	2	13	4
For their journey on horseback, with a servant, to visit the Bishop of Hereford, at Easby, on his return from London, January 18, 20 . .	0	2	6
By N. de Reygate, through the Chancellor, about February 2	3	6	8
By John de Kingeswod, through ditto, second week in May	2	16	8
By Adam Marshal, through ditto, first week in July	2	6	8

It is computed, by the learned author from whom this statement is taken, that the expenses of a scholar, under ordinary circumstance, amounted to about half a mark per week.

* See Mr. Webb's note to the Roll of the Household Expenses of Richard de Swinfield, Bishop of Hereford, published by the Camden Society. To this work I shall have occasion to recur again in this chapter. The value of the original work is so much increased by the important notes of Mr. Webb, that we are led to regret, that, by a decision the wisdom of which is not impeached, the Master of the Rolls has found it necessary to exclude notes from the works published under his auspices. Mr. Webb gives also, from the Household Book of Edward I. the expenses of Arnald and Bertrand de la Fete, which was paid by the king. I only refer to that valuable work here, as showing what was considered a proper outfit at Oxford in the thirteenth century, for young persons in the higher walks of life. The expenses are enumerated for their house-rent, salaries for masters, ordinary and cursory, their laundress, their barber, two books of institutions (copies of statutes), their shoes, summer and winter clothes, supplied from the king's wardrobe, with a tabard a-piece, body-linen and sheets, table-cloths, towels, kitchen and household utensils, chairs, desks, a curtain for their bed, wood for firing. This throws some light on Oxford life.

CHAP. VI.

John Peckham. 1279–92.

Peckham, following the fashion of the age, completed his studies at the University of Paris. But, on his return to England, he again took up his abode at Oxford; and there he engaged in the labours of tuition—a duty, to which every Master of Arts was bound, by the terms on which he received his degree. Among his pupils, he numbered the celebrated Thomas de Cantilupe, of whom honourable mention has already been made, and also a nephew of H. de Andegavia.* But he, rather abruptly, threw up his tutorial engagements, and, taking his degree of D.D.—sanctæ theologiæ professor—he became a Franciscan brother. He was, henceforth, a vehement, though judicious, partizan of his order.

His new profession did not take him immediately from Oxford. So early as the year 1224, the Minorites were established in Oxford, by Angnellus, who had been appointed, by Francis of Assisi himself, the first provincial minister of the order in England. Their monastery was erected in the parish of St. Ebbes, separated by a streamlet from the establishment of the Dominicans, on the south, and from Oseney Abbey, on the west.† He now formed one of that phalanx of learned friars, who were labouring, with success, to

* Walsingham and Paris speak of him as the master of Cantilupe, and their assertion is confirmed by certain letters addressed by Peckham, when archbishop, to the Bishop of London. There is a letter (cxxviii) from Adam de Marisco, published in the *Monumenta Franciscana*, addressed to H. de Andegavia, requesting to know whom he would wish to have as tutor to his nephew: "cum Johannes de Pescham, scholaris, quem et honestior conversatio et literatura provectior commendabiliter illustrant, cœlesti succensus desiderio nuper Fratrum Minorum religiosam institutionem intraverit." As H. de Andegavia is not otherwise known, I do not call him Henry of Anjou, as there were formerly persons of that name, with whom he is not to be confounded.

† Eccleston, v. 57.

make their university famous among the schools of Europe.

The following works of Peckham are still extant. "Quæstiones de Vanitate Rerum Mundanarum, super Sententias," lib. iv.; "Quodlibitum;" "De Vanitate," lib. i.; "De Paupertate;" "Quæstiones de Sacramento Eucharistiæ;" "Hæreseôn a se Damnatarum," lib. i.; "Itinerarium;" "De Sphæra;" "Perspectiva. Epistolarum," lib. i., some of which were published by Wharton; "De Mysterio Minorum;" "Constitutiones Provinciales." His "Collectanea Bibliorum" was printed at Paris, in 1514, and reprinted at Cologne in 1541.*

It will be seen, from this list, which is, probably, not perfect, that his investigations were not confined to theology. He was one of the great men, who, at this period, directed their minds to the pursuit of natural philosophy. His treatise on Perspective was a work which was, for many years, quoted, as an authority on that subject. We gather, from his works, that, like Roger Bacon, he had studied anatomy; that he was well acquainted with the geometry of Euclid, with the works of Aristotle, and with the scientific treatises of the Arabians.†

Peckham was a stern man; intolerant of those, who differed from him in opinion, or who ventured to disobey his orders. But, if he was harsh to others, he was, at the same time, severe to himself. If he was rigid in exacting, from others, a strict observance of their vows, he himself was an example of the obedience which he enforced.‡

* Leland, 309. Tanner, 584. See also Cave, Hist. Lit. 740, and Du Pin, xi. 75.

† Monumenta Franciscana, pref. xliv.

‡ "A tempore consecrationis suæ ab esu carnium abstinuit, indumenta vel stratoria non nisi vilia habere voluit, vigiliis et orati-

CHAP. VI.

John Peckham. 1279-92.

It tells well for the discernment and sound judgment of Peckham that, although he was devoted to his order, he observed the incipient evils of the system; and he proposed to himself, when he possessed the power, the arduous task of correcting the abuses which already existed, and of guarding against others, which, soon after his time, proved detrimental, if not fatal, to the usefulness of the institution.

The English province was divided into seven districts. Over each of these a custos was appointed. These acted under the supervision of a provincial minister; and the provincial minister, ninth in succession after the introduction of the Franciscan order into England, was John Peckham.

Peckham was now obliged to reside chiefly in the metropolis, where the fraternity of the Franciscans, or Grey friars, stood, very near the site of what is now known as Christ Church. As the Dominicans prided themselves upon their hall, so the chapel was the distinguishing feature in the rival establishment of the Franciscans. Four queens were interred within those sacred precincts; but as the choir was only commenced by the second queen of Edward I. we may be sure that the building in which Peckham worshipped was of a humble character. The spiritual building did not keep pace with the erection of stone and brick; and the Minorites went forth, in their long grey coats and hooded cloaks, with their rope girdles and bare feet, to preach the gospel, with more sincerity, perhaps, in their humble days, when Peckham was their provincial minister, than ever afterwards. Peckham, with Roger

onibus omnes socios et capellæ ministros præivit, ita ut sæpe propriis manibus lampadas et cereos accenderet, et cætera humilia non recusaret."—*Chron. Lanercost*, p. 144.

* Monumenta Franciscana, 560.

Bacon, contended against the narrow views of certain of the superiors of the order, who dreaded learning, and forbade the formation of a library. A library was eventually formed, in spite of their opposition, and the room to contain it was erected at the expense of the far-famed Whittington.

The ambition of Peckham was satisfied. He desired to be, and had become, one of the leading men of an order, or sect, which commended itself to his head and heart. Being a practical man, he soon found, that an acquaintance with civil and canon law was necessary to one, who was to be the legislator of the new order. Civil and canon law were not in favour at Oxford, and he, therefore, determined to visit the Italian universities, and to make himself acquainted with the proceedings of the Roman Curia. On his way to Italy, he revisited Paris, and was kindly received by the leading men in the University and the Church. At Lyons, he was endowed with a canonry; and this piece of preferment, according to Carr and Godwin, became attached to the see of Canterbury for two centuries afterwards. It was a convenient resting-place between Canterbury and Rome, when intercourse between these two sees was frequent. From Lyons, Peckham proceeded to Italy. We have no account of his proceedings there, beyond the fact that, on his going to Rome, he received an appointment from the pope, being made Causarum Auditor, or Lector Palatii. The two titles describe one office. Being now both a theologian and a lawyer, he was well qualified to dispute with those heretics, who were summoned to Rome; and this, for the two years that he held the office just described, appears to have been his duty.*

Such was the position of Peckham, at Rome, when

* Prynne, 215.

CHAP. VI.

Archbishop Kilwardby arrived there, to assume his place in the Curia, as a cardinal.

John Peckham. 1279–92.

John Peckham was appointed, by the pope, as his successor. It was a bold and decided measure, on the part of Nicolas, and how it was that the proceeding was not resisted and resented by Edward I. is, with our present information, perplexing.

The pope could not urge as a precedent the conduct of his predecessor, because steps had been taken in England to prevent that proceeding from becoming a precedent. When Kilwardby was appointed, it will be remembered, that Edward had not yet arrived in England. The pope relied, in that case, upon his friendship with the king, and the council were well aware that the safety of the king, on his way to England, depended much on the friendly relations existing between the two potentates. The country was not, at that time, in a position to resist a papal usurpation, but they did not permit the pope to act without issuing a protest, showing, that the bishops of the Church of England had always been elected by the chapters under a *congé d'élire* by the king; that after the election, the elect was presented to the king, who might object to the appointment, if he thought fit to do so; that the conduct of the pope, in the case of Kilwardby, was of the prejudice of the king, as well as of the Church of Canterbury, whose patron and defender he was; and that, therefore, the grant of the temporalities to Kilwardby must be regarded as an exceptional case, and a favour especially conceded, not to the pope, but to his nominee.*

In the case of Peckham, the pope contended for his

* Claus. 1. Edward I. m. ii. in dors. Prynne, Edward I. 122. The whole of this subject will be considered in a later chapter, when we shall refer to the Statutes of Provisors and Præmunire.

right by analogy. Among the usurpations of the see of Rome, subsequently confirmed by the decretals, was the assumed right to nominate to the vacant see, if a diocesan died in Rome. There was always something plausible to be said for every papal usurpation; and this proceeding was justified by the importance of avoiding the delay, which would be occasioned, if the usual forms were observed. Nicolas III. ruled, that the resignation of a prelate placed his see in the same category as his death.

There were several apparent reasons for tolerating a second irregularity. Edward required the assistance of the pope, at this time, against the clergy of the Church of England, as they were very slow in paying the arrears of the subsidy, which was demanded of them to defray the expenses of the crusade. He also required the pope's assistance to further certain negotiations with the King of France. The chapter had endeavoured to conciliate the king, by electing Robert Burnell, whom they had before rejected. But Robert Burnell was now Bishop of Bath and Wells, and Chancellor of England. Being the friend and chief adviser of Edward, he no longer desired the primacy, which might have interfered with his position as a statesman. He had no objection to the appointment of Peckham, for he preferred a theologian, as primate, to a statesman, who might, by opposition to the Government, have given him trouble. As for the chapter, the king had not forgotten the insult they had offered to the prince. The whole conduct of the monks of Canterbury, from the time of Becket's death, had, in fact, been directed to two objects: to emancipate themselves from the abbatial authority, as well as from the archiepiscopal jurisdiction of the primate; and, in the case of elections, to force a monk into the primatial

CHAP. VI.

John Peckham. 1279–92.

see. They were a set of turbulent, unprincipled men, always ready to side with the pope, against the king, and against the suffragans.

The pope had no difficulty in setting aside the election of Burnell; and no one could object to the appointment of Friar John. In the parishes, in the universities, among the nobles, as well as among the masses of the people, the mendicants were at this time popular; and the pope was willing to show his impartiality, in nominating a Franciscan as the successor of a Dominican. We can easily understand the unwillingness of Friar John to accept the office.* He was a sectarian, who loved his order more than he loved the Church; and he did not consider an archbishopric superior to the high offices among the Franciscans, to which he aspired. But he was obliged to yield, and was consecrated by the pope himself, on the 19th of February, 1279.

He immediately returned to England, where he was enthroned in great pomp at Canterbury, and presided in state at the enthronization feast. The poor mendicant was waited upon by the first lords of the land. The king had agreed, by his special grace,† to restore the temporalities to the new primate, and this he did, after reserving two thousand marks to repay himself for the expenses incurred by sowing the archiepiscopal estates with corn.

There seems to have been some dispute between the late primate and the king upon the subject of coining money. The king, however, granted the privilege of a mint to Peckham—a privilege which

* Wikes, 108, says expressly of Peckham, that the pope "ipsum diutius rebellantem et contradicentem, licet invitum, ut dicebatur, consecravit."

† De gratia nostra speciali. Fœdera, i. 575, ed. 1816.

had been enjoyed by his predecessors from time immemorial.*

The demand made upon the new archbishop by the pope, was greater, but not unreasonable. Friar John, when he went to Rome, was possessed of no property, and, after his appointment to the see of Canterbury, was, at first, dependent upon the generosity of the pope to procure the means by which to pay the customary fees, and to procure an establishment, such as became the Primate of All England. Nicolas advanced the money, but could not afford to be generous. It was the custom, at Rome, to receive, but not to give. A bill came in to Friar John immediately after his consecration, for five thousand marks, in liquidation of the debts which he was said to have incurred at Rome. Mendicants, like the popes, were so accustomed to receive, that they knew not what it was to give or to pay; and to the payment of the papal bill, for board and lodging at Rome, Friar John demurred. He described the bill as "horribilis in aspectu, et auditu terribilis." He alleged his inability to meet the unexpected demand. His predecessor, though a mendicant, had abstracted from the treasury of Canterbury, all the ready money which had been paid by the tenants, in order that he might meet the expenses of the cardinalate: the last year's rents had been appropriated by the king. The document, in which these statements are made, concludes with an assertion, which takes us by surprise. Peckham asserts, that Boniface had left the buildings of the see in a dilapidated condition, and yet, as we have seen, it had been the boast of Boniface, that he had paid off the debt

* Fœdera, *ubi supra*. Before the Conquest, the effigy of the archbishop was on the coin he minted. This was, I believe, never the case after the Conquest.

CHAP. VI.

John Peckham. 1279–92.

which his predecessors had contracted, and left the property in good condition. The boaster is generally a man who is conscious of defects, which are not apparent, until investigation has been made. The episcopal residence at Canterbury may have been in good condition, but the tenements of the tenants, and the other manors of the see, may have been neglected. Payment was, nevertheless, demanded of Friar John, under threat of excommunication, by bell, book, and candle; and all the concession made to him was, that a year of grace should be allowed. In the meantime, Cardinal Kilwardby died intestate; and, as a cardinal was a member of the papal family, the pope claimed the right of administering to his goods. Peckham immediately sent a lawyer to Rome, to claim the 5,000 marks which Kilwardby had taken with him, as a debt due to the church of Canterbury; and to propose, that it should be a set-off to the demand made upon the present archbishop. But this claim could not be admitted, because the sole reason why the pope asserted his right to administer the property of a cardinal dying intestate was, that he might give the money to the poor, or devote it to other pious uses. Friar John was a simple-minded man, and did not perceive that, in acting as he did, he was only sending good money after bad.*

Although Peckham affected much humility, discharging for himself many acts, which his predecessors had hired servants to perform; and although, to mark his humility, he still called himself Friar John; he was, nevertheless, a pompous little man, both in his gait, and in his manner of expressing himself.†

* Parker, 291.

† Trivet, 300: "Gestus afflatusque pompatici, mentis tamen benignæ, et animi admodum liberalis."

We have seen that Edmund Rich—St. Edmund of Pontigny—while contending for things really important, was always unwilling to engage in controversies which led to no practical result. It was not so with Peckham, and the violence displayed by the warrior-primate, Boniface, was imitated in the conduct of the friar. He was peculiarly sensitive in all that pertained to the dignity of his office; and he was sorely tried. Soon after his consecration, he received information that William de Wickwane,* who had been consecrated to the see of York, at Viterbo, within a few months of Peckham's own consecration, had, on his way to England, caused his cross to be erected, as soon as he had entered what were called the English waters, and that, with his cross erect, he was designing to pass through the various dioceses of the Southern province. This was an open assertion of his equality, as a Primate of England, with the Archbishop of Canterbury. To the revival and embittering of a long dispute,† the ambition of the popes had conduced. The Archbishop of York was accustomed, in some way or other, as we

* Of William de Wikwan, or, according to Wikes, Wikkewane, little is known. He did not come forward as a statesman, but, after his consecration, devoted himself to the discharge of his episcopal duties. Previous to his appointment to the metropolitan see of the North, he had been Rector of Ivanhoe and Chancellor of York. On the death of Archbishop Giffard, some irregularity having occurred in the election of his successor, Pope Nicolas, on his own authority, consecrated Wikwan. The consecration took place on the 17th of September, 1279, at Viterbo. The archbishop died at Pontigny, on the 26th of August, 1285. Constitut. E. Ebor. MS. Trivet, 300. Wikes, 108. Prynne's Records, iii. 226.

† That the dispute was regarded as frivolous, at this time, appears from the statement of Wikes, 108. He speaks of it as "antiquam et frivolam concertationem, quæ inter duos Angliæ metropolitanos a multis retroactis temporibus pro crucis deportatione tanquam sopita, excitarunt."

CHAP. VI.

John Peckham. 1279-92.

have seen, to admit his subordination to the see of Canterbury, till the year 1119. In that year, Calixtus II. consecrated Thurstan, as Archbishop of York, without the usual profession of allegiance to the Southern metropolitan. The object of the pope is obvious. He desired to establish a precedent, according to which the pope might appoint an English bishop without the consent, or even against the protest, of his superior. This is one of the many instances in which we find the authorities at Rome availing themselves of local controversies to establish a papal usurpation. Archbishop Wickwane was a good man, who did not merge the bishop into the politician; and he thought it as much his right to maintain the dignity of his see, as Peckham did to resent an insult offered to Canterbury. Nothing can justify the violence of Peckham; but one cannot help thinking that there may have been something peculiarly offensive in the conduct of his rival. Wickwane should have remembered that, although the oath of obedience to Canterbury was never renewed, yet Calixtus, however inconsistently, declared, that it was not his intention to do anything prejudicial to the rights of Canterbury.

Friar John, Archbishop of Canterbury, issued immediate orders, that no mark of respect should be shown to Archbishop Wickwane. He placed every parish in which he sojourned under an interdict. He declared every one to be *ipso facto* excommunicated, who should supply him, though a primate and metropolitan of England, with food and the necessaries of life. He sent his official, Adam de Hales—as Archbishop Wickwane himself describes it, "cum Sathana suisque satellitibus et complicibus sibi adhærentibus"—against him. The official, in his zeal, personally attacked and insulted the Archbishop of York; and

was prepared, with a large assemblage of armed men, to prevent his entrance into London. The dispute became so serious, that the king himself was obliged to interfere.* The pertinacious and litigious character of Friar John came before the king, a few years afterwards, when the Primate of All England, to his great surprise, made the discovery, that his right to carry his own cross, within the circuit of his own province, was disputed. Edward, on his return from Gascony, claimed the hospitality of the monks of St. Augustine's, at Canterbury, for himself and his court. The archbishop was, of course, invited to dine with the king and his queen. The monks, however, declined to admit the archbishop within their precincts with his cross erect. The king could not expect him to come as a private person, and prevailed with the monks, notwithstanding their hatred of a friar, to permit him to come in state, if he first signed an instrument, declaring, that he did not intend, by his coming, to establish a precedent, or to assert, by the proceeding, any right to exercise episcopal authority within the precincts of their exempt jurisdiction. But though the monks were prepared to make the concession, no power on earth could persuade Friar John to affix his seal to the document.†

The king, indeed, soon found cause to regret the consent that he had given, to the appointment of a friar to the primatial see of his realm. Peckham was not a true-hearted Englishman, and was, invariably,

* This account is taken from a letter, addressed by Wickwane to Pope Nicolas, in Wilkins, ii. 43. It is, of course, an *ex parte* statement; but it is partly confirmed, by a letter from Peckham himself to the Bishop of Chichester, in Wilkins, ii. 119.

† Thorn, in the X. Scriptores 1951, gives the particulars. He was himself a monk of St. Augustine's.

CHAP. VI.

John Peckham. 1279-92.

engaged in furthering the interests of the pope, in opposition to those of the king of England and the country.

Soon after his consecration, Peckham was involved in a controversy with his royal master, by following the example of Archbishop Boniface. He ventured to convene a synod, or convocation, at Reading, in 1279, without first obtaining the royal permission. He discovered, however, that the king he had to deal with was a very different man from his father. The king was justly and vehemently indignant. He delated the archbishop before Parliament, and then compelled him to revoke all the constitutions which had been passed to the prejudice of the royal prerogative, or contrary to the rights and customs of the realm. At that synod, excommunication had been pronounced upon all, who should stay proceedings, for a violation of the canons, in the ecclesiastical courts; upon any one who, upon the king's writ, neglected to seize persons excommunicated, or who, if seized, released them; upon all who invaded the privileges, entered upon the manors, or distrained the goods, of ecclesiastics; upon all, who countenanced a violation of sanctuary; and—here comes in the littleness of the man—upon all who supplied the Archbishop of York with food, on his coming to Parliament with his cross erect.*

It is clear that Peckham was not on the patriotic or national side, in politics, although the peaceful and prosperous state of the country, did not render it necessary for him to declare himself. He was not a Poictevin, or Savoyard. These parties had disappeared from the country; but he was ready to do the bidding of the pope, a foreign prelate, who, though the anti-

* Prynne's Records, iii. 235. Ryley's Pleadings in Parliament, 442. Brady, Append. 33.

papal feeling was not, at this time, so strong as it had been, and was soon to become again, was always opposed to the liberties of England, and the rights of the English Church.

The national party, however, was still strong among the clergy. By taking part with the Archbishop of York, the king won the good-will of the Northern primate. In the great and wise Bishop of Bath and Wells, his chancellor, he was secure of efficient support in the province of Canterbury, where the archbishop was disliked, and feared. So decidedly national, indeed, were the clergy, that, in spite of the opposition of Peckham, the king obtained from them the grant of a fifteenth, for three years.

The king suspected Peckham of un-English designs, to such an extent, that, when the primate, on the 30th of April, 1286, assisted by three prelates, and some doctors, met, only to consider some erroneous propositions, concerning the body of our Lord after His death, the king sent Roger L'Estrange, and Hugh Fitz Otto, to watch their proceedings. When he had permitted a council to be held at Lambeth, on the 11th of October, 1281, he commanded, that an oath should be taken, that all the members of the council should be loyal to him; and, under pain of forfeiting their temporalities, that they should maintain the ancient rights, and customs, of the realm of England. This was a shaft specially aimed at Peckham.*

The archbishop, on the 2d of November, 1281, addressed a letter to the king, which, still further, proved the impolicy of permitting a friar to occupy the archiepiscopal throne of Canterbury. He affirmed that Catholic emperors had submitted to the laws of the papacy, and abolished any local laws which were

* Fœdera, i. 598, ed. 1816.

CHAP. VI.

John Peckham. 1279-92.

contrary to the same. Peckham, at the same time, openly declared, that, whatever oaths he may have taken, he should feel himself absolved from them, if they interfered with his duty to the pope.*

From the Constitutions of Peckham,† published at the Provincial Synod, at Reading, to which we have just referred, some information may be obtained, in regard to the habits and feelings of the age. We find, that the number of married clergymen, or concubinary priests, notwithstanding all past enactments, continued to be very great.‡ Children born within eight days of Pentecost, or Easter, were to be reserved to be baptized at these times. Children born at other times, were to be baptized at once, for fear of sudden death.§ By the Lateran Council of 1216, one or more bishops might grant a year's indulgence towards the erecting of a church, and forty days, to encourage the observance of the anniversary of the dedication. The *abuse* of this *abuse* had become so great, that it was necessary to legislate on the subject, "lest the keys of the Church should be despised."‖ The eleventh Canon runs thus: "For the mercies of Christ Jesus, let care be taken that friars and nuns rigidly preserve their chastity, by punishing all that solicit, or actually corrupt it; and by preventing them from staying too long at the houses of their relatives and friends."

* Prynne, 235, 252. Claus. 8 Edw. I. M. i. d. Pat. 8, 1, m. 10, intus. Fœdera, i. 598. Spelman, ii. 305, 320, 323, 329. Wilkins, ii. 64.

† Constitutiones Domini Johannis Peckham, Cantuar. Archiepiscopi, editæ apud Redyng iii. Kal. Aug. A.D. 1279, et regni Edwardi primi vii. Ex. MS. Digby Bodlei. n. 170, et Cotton, Otho, A. 15, et Reg. Giffard, Wigorn, n. ii. iii. iv. et MS. Eliens, n. 235. Lyndwood, 135. Spelman, ii. 320. Wilkins, ii. 33.

‡ Canon v. § Canon iv. ‖ Canon ix.

In the Council of Lambeth, in 1281,* we find, that there were many priests of the Lord in number, though only a few in merit, and that, among the "damnable neglects" of these, their irreverence towards the sacrament of the altar was one. They consecrated it "with accursed tongues," and kept it with contempt. They were required to consecrate the elements at least once in a week, to keep the sacrament in a tabernacle, and to cause the bells to toll when the consecration took place, that those who were in the houses and the fields might bow the knee. The people still partook of the cup; but they were instructed, that the wine was given them, not as part of the sacrament, but to enable them to swallow the sacrament, which was taken whole under the species of bread.† Confirmation was very much neglected; and hence it was enjoined, that the Eucharist should not be administered to any who had not received confirmation.‡ "Enormous lust," we are told, "was so prevailing, that many nuns, like Dinah, delighting in an ill habit of wandering," caused scandal to the Church.§ Many of the clergy were accustomed to assume the dress and manners of laymen; wearing coifs and hair-laces.‖ Many benefices had become hereditary, the sons of concubinary priests succeeding

* Constitutiones Johannis Peckham, Archiepiscopi Cantuariensis, editæ in Concilio Lambethensi, A.D. 1281, et regni Regis Edwardi primi ix. Ex. MS. Cotton, Otho, A. 15. Collat. cum MS. Lambeth, n. 17, et Elien, n. 235, et MS. Oxon. Mariæ Mag. Colleg. n. 185. Spelman, ii. 328. Lyndwood, App. 26. Wilkins, ii. 51.

† Canon i. ‡ Canon iv.

§ Canons xvii. xviii. Lyndwood here says, that none of the English nuns that were under the care of the diocesan, were close shut up in their houses, though some that were under the inspection of exempt abbots were confined, as all were to be by canon law. Johnson, ii. 294. Cf. Provinciale, 212, gl. *cum socia.*

‖ Canon xxi.

CHAP. VI.

John Peckham. 1279-92.

their fathers.* Many of the clergy, becoming lawyers, without study of the canon law, undertook cases in the ecclesiastical courts.† There were disputes between rectors of parishes, and their parishioners, touching the ornaments of the church; and we find, that it was required of the parish to provide the chalice, the principal mass-vestment of the church, a chasuble, a clean alb, an amyt, a maniple, a girdle, two towels, a cross for processions, a lesser cross for the dead, a bier, a cense-pot, a lanthorn, with bell, a Lent veil, manuals, banners, bells, vessel for holy water, with salt and bread, an osculatory for the Pax, Easter taper with a candlestick, bells in the steeple with ropes, fonts with lock and key, reparations of the body of the church, within and without, as well in altars as images, glass windows, with the inclosure of the churchyard. All other particulars and ornaments, with the reparation of the chancel, within and without, were to be found by the rectors and vicars.‡

Friar John was no mere theorist: he was a strict and stern disciplinarian; and to enforce the discipline of the Church, he was diligent in holding visitations. Archbishop Boniface had been resisted in his visitations, because it was known, that he held visitations only to enrich himself by his procurations. Peckham was known, if severe, still to be honest, and he met with little resistance. Of his severity, we have several instances. When he held a visitation of the diocese of Chichester, he sentenced Roger Ham, a priest, convicted

* Canon xxii. † Canon xxv.

‡ Canon, xxvii. This last canon is called by Johnson a statute of John Peckham, of uncertain time and place. It was probably a regulation made at his visitation, and repeated by other primates.

of immoral conduct, to three years' penance, and enjoined a pilgrimage to Rome, Cologne, and Compostella. At Salisbury, he excommunicated Sir Osborn Giffard, and only relaxed the sentence on two conditions: That he should be publicly whipped in the Church of Shaftesbury, and that he should undertake a pilgrimage to the Holy Land. At Ely, he dismissed, by a summary process, the obedientaries of the monastery for a neglect of duty.*

In 1284, he commenced the visitation of the Welsh dioceses,† and his visitation is memorable from the fact, that the old claim was, for the last time, renewed, which asserted, for the Welsh Church, an independence of the metropolitan see of Canterbury. The Bishop of St. David's claimed exemption from the jurisdiction of the archbishop. The claim was disallowed, and the primate proceeded to maintain his authority, by issuing certain injunctions to the Church of St. David's.‡ He found that the clergy of the cathedral were generally married, or were living, as it was styled, in a state of concubinage. This had led to their non-residence. He ordained that the concubinary priests should be no longer indulged, and he ordered them to be at once deprived of their canonries.

We have a more pleasant scene presented to us, when the archbishop revisited the place of his early education, and showed his affectionate respect to the aged men, once his superiors, now placed under his jurisdiction. The archbishop arrived at Lewes. The

* The manner in which the Continuator of Florence—sub anno 1285—notices this fact, implies that it was a stretch of authority on the part of the primate; but, from the absence of censure, we may infer that the punishment was deserved.

† Ang. Sac. ii. 651. Wilkins, ii. 106.

CHAP. VI.

John Peckham. 1279-92.

chapter of the priory went out to meet him. They experienced the strange feeling, which old men often experience, when they pay obeisance to one, whom they have whipped when a boy. The Archbishop of Canterbury, arrayed in his pontificals, and in great state, joined the procession as it perambulated the town of Lewes. He preached in the great church; he granted indulgences; he sang the mass at the high altar. Having thus done all that he could do for the honour of the priory; having kept a high festival and feasted the poor; Brother John, as he is called in the "Diary," put off his splendid attire, and in his grey coat, rope-girdle, bare of foot, he entered the refectory, and partook, with his usual moderation, of the simple fare of the delighted monks. To receive such a mark of respect from a friar, usually the opponent of the monks, was an honour highly appreciated.*

The same feelings of affectionate regard to the place of his education, was evinced by Peckham, towards the University of Oxford. At the council of Reading, with the concurrence of his suffragans, in a document addressed to "the Chancellor and University of masters and scholars at Oxford, in the diocese of Lincoln," he confirmed to them and their successors, the liberties and immunities duly granted to them by bishops, kings, great men, and other faithful people of Christ. With the consent of his suffragans, he ordained that the sentences pronounced by the judges and other officers of the university, should have effect throughout his province; and, if any clergymen should be found in arms, by night or by day, to the disturbance of the peace of the university, he further ordained, that if beneficed, they should be suspended

* Diary of the Priory of Lewes.

for three years, if unbeneficed, be incapable of holding preferment for four years.*

We are not, therefore, surprised to find, that the archbishop was favourably received at Oxford, when he visited the university in 1284. After holding a visitation of the Abbey of Oseney, he convened the masters of the university, and delivered a solemn address. He adverted to the errors in scholarship, which had been pointed out by his predecessor, and censured some erroneous doctrines which had found favour at Oxford.†

Against these errors, the archbishop found it necessary, in 1286, to adopt severer and more stringent measures. His zeal, perhaps, was quickened, by the fact, that the errors had found much favour in the rival order of Dominicans. Richard Knapwell had propounded certain metaphysical subtleties, relating to our Lord's nature, and the Eucharist, which, if not absolutely heretical, approached what was then regarded as the very borders of heresy. But one of his assertions, the more surprising as coming from a Dominican, was certainly what would, in these days, be regarded as orthodox. He maintained that, in supporting his opinions, a man is not bound to rest his faith on papal authority, or even on the authority of Gregory, Augustine, or of any other celebrated doctor; but exclusively on the authority of Holy Scripture and the deductions of reason.

When his essay was published, the sensation throughout the Church was great and alarming. Knapwell

* Quædam tuitio Libertatum Scholarium Oxon. Registr. Giffard. Wygorn. fol. xcii. Collat. cum orig. in Turr. Schol. Oxon, printed by Archbishop Wake, Appendix to State of Church and Clergy of England, p. 12, and by Wilkins, ii. 39.

† Wood, i. 319. He specifies the errors at considerable length.

CHAP. VI. 'John Peckham. 1279–92.

was convened before the archbishop, and, at Bow Church, his propositions were declared to be heretical. His friends and supporters at the university were prohibited from defending them, under the penalty of excommunication.

But the judgment of the archbishop was not final. Party-feeling ran high. Richard Knapwell appealed to what he regarded as a superior authority. The appeal was heard by Hugh de Mancester, the provincial of his order. The provincial declared that the words of Knapwell might have an orthodox construction, and he decided in favour of his subject. The questions to which he had given rise, were fully discussed. The whole subject was taken up as a party-dispute; and so the way was prepared for Wiclif.*

We are not able to present the reader with a full account of an archiepiscopal visitation in the 13th century, but we are still permitted, by the roll of Bishop Swinfield, to form some idea of the laborious nature of such a proceeding.† The visitation was, of course, made on horseback, and the archbishop was attended by a retinue of between fifty and a hundred horsemen. To mark his rank, he was escorted by hawks and hounds. In passing over large tracts of uncultivated and thinly inhabited counties, these were useful to procure food as well as to supply sport. A large number of attendants was necessary, for robbers showed no respect of persons, and with robbers the country abounded. It was necessary to have persons of various callings in life. The roads were dark and difficult, and the farrier was a man of considerable importance, as the horses were continually losing their shoes. It sometimes

* Wikes, 114.

† It is not necessary, in this place, to do more than refer generally to this interesting document.

took a whole day to move five miles. In some places, the archbishop was received with profuse hospitality by abbots, or by knights, or by feudatories of the Church, or by the rectors of parishes; at other times, the necessaries of life could hardly be procured from a poverty-stricken people. It was this, which rendered it necessary, that an apparitor should precede the archbishop, who was known by his painted bag, containing a citation to the rectors and officials of parishes, who, if unwarned, would have pleaded their inability to supply the procurations. The archbishop himself was employed not only in examining the condition of the parishes he visited, but in stopping to preach, whenever any number of people could be collected; and crowds were easily collected, in the hope of sharing the liberal alms, which were freely bestowed. Then, as now, an archbishop had letters to write, but not with the same ease. Paper was not in common use, and a letter on parchment was written slowly, to the slow dictation of the prelate, generally in a dead language. But there must have been much writing, as we find Bishop Swinfield purchasing, at Oxford, 150 sheets of parchment, at the cost of 3*s.* 4*d.* The same bishop had to send for a physician on his visitation, whose honorarium was 6*s.* 8*d.* which, multiplied by twenty-five, will give a handsome fee.

The bishops did not then, any more than at the present time, appear always in their official robes;* and the probability is, that Friar John assumed the dress of a Franciscan, when he was travelling; but if he did so, it was contrary to the custom of the bishops in general, and his example would not be followed by

* "In quotidiano usu non est sacris vestibus utendum. Habet Religio divina alium habitum in ecclesiasticis officiis, alium in communi usu."—*Durandus Rationale*, lib. iii. de Indumentis.

CHAP. VI.

John Peckham. 279-92.

his suite. Furs were in great requisition, especially when travelling in cold weather. Bishop Swinfield's winter gear was of deer-skin, and he had three hoods of costly minever, with which his cloak was also lined. The archbishop's clerks certainly wore squirrel-skins for the ornamental part of their hood or tippet. The squires, and lay clerks, were furnished with lamb-skins. A furred cap was used by the bishop, and probably by the archbishop, the cost of which was 3*s.* 1*d.**

Notwithstanding differences of opinion and some disputes, Friar John was generally on good terms with the king. As a friar, Peckham was in the interest of the pope, and thoroughly un-English; but, during his episcopate, few important questions arose between the court of the king and that of the pope. The chief difficulties, as usual, arose in relation to money matters. It would be tedious to enter into a detailed narrative of these affairs. At one time, we find the king calling in the assistance of the pope, to enable him to compel the clergy to pay up the arrears due upon the subsidies demanded of them to defray the expenses of the Holy War, in which Edward, as prince, had borne so conspicuous a part. At a later period of his reign, he again assumed the cross, obtained a grant of money, and then appointed his brother Edmund to head the expedition. The pope, under these circumstances, claimed the administration of the money collected, and employed the friars to support his claim. He issued his mandate to Friar John. The friar obeyed, and on one occasion remonstrated with the king for applying the money to his own purposes. But the Archbishop of Canterbury could not forget the treatment he had himself experienced in relation to pecuniary matters from the authorities at Rome, and was

* Bishop Swinfield's Roll, Webb's note, 113.

careful not to give unnecessary offence, in this matter, to the king.

The archbishop was neither able, nor willing, to take a prominent part in political affairs; but on the only occasion on which he did interfere, he appears in his proper character—that of a mediator. More than once, and on one occasion at some personal risk, he undertook a pacific mission to Llewelyn, previous to the commencement of that Welsh war, which terminated in the annexation of the Principality to England.* There can be no doubt, that Edward, at first, only sought to maintain his own rights as suzerain—following out his great policy of connecting the whole island under one supreme government. That the justice of Edward's claim was admitted by Church and State, is shown by the fact, that, when Llewelyn and David could not be brought to reason, the archbishop, and his suffragans, pronounced the Welsh princes excommunicate, without a definite form. They were treated as men in rebellion against their liege lord.†

Although the king employed Peckham when it was necessary to do so, it was in Burnell, Bishop of Bath, and High Chancellor of England, that he found his adviser. It is to be observed, that it is to this great ecclesiastic, that we are indebted for the important Statute of Mortmain,—vigorously carried, in spite of a public opposition on the part of Peckham. The serious consequences of having a large portion of land held in mortmain‡ began to be felt, when the monks

* Stow, Chron. 201.

† The royal mandate is given, in Fœdera, i. 603, ed. 1816, and is worthy of perusal.

‡ Lands held by ecclesiastical, or other corporations, were said to be in mortmain, or *in mortua manu*, a dead hand; for that

CHAP. VI.

John Peckham. 1279–92.

ceased to be the sole cultivators of the soil. At a later period of our history, this grievance was found to be so great, as to justify the dissolution of the monasteries, as a political necessity. But, at this time, the grievance most felt by a warlike king was, that a large portion of the land held in mortmain was relieved from rendering military service. This grievance became the more intolerable, from an abuse, which had gradually crept in. The laity would frequently make feigned gifts of land to the religious houses on a consideration, for the purpose of rendering themselves exempt from the duty to the Crown, otherwise attached to their estates. It was against this abuse, that a clause was introduced into Magna Charta, which was afterwards construed to prohibit all gifts to religious houses, without the consent of the lord in fee. In the ninth year of Henry III. this rule was made more stringent;* and in the seventh of Edward I. it was ordained, that lands given or purchased, for the use of religious houses, being lost to the nation and chief lords, they should, on no colour, be aliened into mortmain, on pain of forfeiting them to the chief lord, or to the lord next immediate, or to the king.† Legislation in this direction had become necessary; for the old feudal system of military service was now becoming obsolete, and a commutation of personal service into money-payments was coming into general use.

A further enactment was necessary. The cross was the ensign of the profession to the Templars and Hospitallers, who were *cruce signati.* Their tenants

a dead hand yieldeth no service; and these lands produced no advantage to the feudal lord by way of escheat or otherwise. The subject may be seen, fully treated, in Ducange, *in verb.* Manus Mortua.

* Gibson's Codex, ii. 665. † Gibson, ii. 666.

enjoyed considerable privileges, and were exonerated from many duties and services to which other tenants were subjected. They were freed from tenths and fifteenths; they were discharged of purveyance; in ecclesiastical causes, they were to be sued, not before the ordinary, but before the conservators of their privileges; they could afford sanctuary to felons. Crosses were fixed to the houses of their tenants, to show that these, and other privileges, belonged to the inmates.* These crosses were fixed to houses not actually belonging to the military orders, but purchased of them, or professing to be in that position; and it became necessary, therefore, to enact, that, as many tenants set up crosses on their lands, to the prejudice of their lords, these crosses should not defend tenants against their lords, but that their lands should be forfeited, as in mortmain.†

The statute, *Circumspecte Agatis*, was another wise act of legislation, on the part of King Edward, suggested by his great chancellor. It fixed the boundaries between the temporal and spiritual jurisdictions. It appears to make concessions to the court Christian; but, by defining its powers, it did, in reality, place a restriction upon the spiritual judges, who were

* Houses may still be seen, or might have been till lately, in Leeds, with crosses on the fronts. These indicated that the houses had been, at one time, the property of the Knights Templars, of Temple Newsam. Until the year 1839, when the Soke Act received the royal assent, the inhabitants of the manor of Leeds were obliged to grind their corn and malt at what were called the king's mills, with a customary toll of malt, amounting to a thirty-second part, and of wheat, of a sixteenth part. From this obligation, the houses marked with a cross were, from the time of the Crusades to the present century, exempt. We purchased the rights of the proprietor of the king's mills by a local tax.

† Gibson, ii. 667.

CHAP. VI.

John Peckham. 1279–92.

gradually bringing all causes within their grasp. The chancellor, Bishop Burnell, would, as a secular, be quite prepared to place restrictions on the monastic establishments; and, being employed as a lawyer in the King's Court, he had no peculiar prejudices in favour of the spiritual courts. Professional *esprit de corps* would be with him on the opposite side. Friar John had no affection for the monks; but he was jealous for everything that related to the dignity of his office, and he was bound to defer, as a Minorite, to the pope, who received, with displeasure, the attempt to dam up some of the sluices of wealth to the monasteries. Peckham, therefore, opposed these measures; but he was not a man of sufficient weight, or influence, to offer any powerful impediment to the progressive legislation of Edward.

Another great measure was the indignant refusal of the king and Parliament, in 1289, to pay the tribute, which Edward's grandfather had stipulated to pay to the pope. But while Edward was determined, as became an Englishman and a King of England, to assert the independence of his crown, his Church, and his realm, he was a man of deep and earnest piety. His acts may have been what are now called superstitious, but they flowed from a heart replete with the sentiment of religion. He was not influenced by the fear of hell, which was the moving and avowed principle with too many who performed good works in those days, but he was animated by a love of God. In the year 1285, he had the happiness of seeing completed the work which his father had commenced—Westminster Abbey. Church building was, like all other work, in those days, slow. The works at Westminster had been going on for sixty-six years. The spoils of Wales were presented by the king, and among them

was "a large piece of the true Cross," and "the crown of King Arthur."

Edward went to Gascony, in June, 1286, leaving the Earl of Pembroke regent during his absence, and taking with him his great minister and chancellor, Bishop Burnell. During his absence, the affairs of Government were mismanaged. On his return, the archbishop entertained the king at Canterbury, and stated to him the grievances of the people. One chief ground of complaint was, that the king's judges had been corrupted by bribes, and enriched by extortion. Upon inquiry, the charges were substantiated against most of the members of the judicial body, who were said to have been guilty of even worse transgressions, if that were possible, than a perversion of justice, though the precise nature of the offences is not specified. But the result of the investigation, which was conducted under the chancellor, Bishop Burnell, was the disgrace and dismissal of the offenders.*

A heavy charge may be brought against Friar John himself, in so far that he did not oppose, though we have no reason to believe that he instigated, the severe measures which were adopted in this reign against the Jews.

Our feelings of indignation are, in these days, roused at the very appearance of persecution, and it is difficult, therefore, to place ourselves in the position of those who were unable to distinguish between the persecution of a fanatic, and the zeal of a Christian. But we must endeavour to be just.

When we read of the cruelties to which the Jews were exposed, we must remember that, by the Jews, we mean the wealthiest of the monied men in the kingdom—men who, by their money, obtained, from

* Foss, ii. 39.

CHAP. VI.

John Peckham. 1279–92.

princes and nobles indebted to them, privileges of vast importance, and of which they knew how to avail themselves to the fullest extent. The king was their avowed protector; and, as the Jews considered it unlawful to go to judgment before Gentiles, it was permitted, that all differences among themselves, which did not concern the pleas of the Crown, should be heard and settled by rabbis, according to their own law.* Now they could not have grown rich; they could not have spent their wealth; they could not have purchased privileges, if their normal state was one of persecution. The hardships they suffered were very great, but they were only occasional, and, in some respects, ministered to their wealth. It was on account of their insecurity, that they justified their demand for exorbitant interest upon spendthrift princes and nobles.

It cannot be said, that the Church, in the thirteenth century, was less zealous for their conversion, than the same Church in the nineteenth century.

The friars had been diligent, in preaching to the Jews, as well as to degenerate Christians, and they were cordially supported by leading personages in Church and State. A *Domus Conversorum* was established by Henry III. in what is now called Chancery Lane.†

* Margoliouth, Hist. of Jews, i. 123.

† See for an account of the institution and Royal donations, Fœdera, i. 201, and 208. The locality is minutely described :— "The Asylum was built in the street called New Street, between the Old and the New Temple. It was made over to the Master of the Rolls, *Custos Rotulorum*, in 1377." The first layman appointed Master of the Rolls was Thomas Cromwell, in 1534. Pennant, writing in 1791, says, "I question whether the Master of the Rolls does not to this day receive an annual stipend at the Exchequer, as for Jewish converts."—*Pennant*, 158.

It was an asylum for those of the Jews who were converted to Christianity. The king granted the sum of 700 marks, and all escheats in the City of London during his reign, and certain other endowments for the support of the asylum, and for the indemnity of those converts, who frequented the church attached to the *Domus Conversorum.**

King Edward extended his patronage to the house. The warden, or master, was required to select a presbyter to act as his coadjutor, and, with other clergymen, to regulate all the proceedings. Education at the universities was offered to those inmates, who should devote themselves to learning; and the bishops undertook to provide for all who, after a proper education, might think fit to enter into holy orders. We know not what success attended these labours, but they are not to be overlooked or despised.

In the miseries of King John's reign, the Jews had more than their full share; but they enjoyed fifteen years of peace and prosperity, under the enlightened governments of the Earl of Pembroke, and Hubert de Burgh,—a man better known by his name than his title. These great ministers exonerated them from burdens, which had been previously imposed upon them, and a charter was renewed, which confirmed these exclusive privileges.† They paid dear for their privileges, but they were exempted from the taxes levied upon their neighbours. The king assumed the right of dealing with them, and if they had sometimes to pay

* It is observable, that females were admitted, as well as men, a mandate being added, August 11, 1233, addressed to Stephen de Stranda, to admit among the converts Christiana de Oxonia. Rot. Claus. 17, Hen. III. M. 6.

† Margoliouth, i. 134.

CHAP. VI.

John Peckham. 1279–92.

high, they were at other times, when the king was in difficulties, not slow to make a good bargain. Occasionally a prelate would take part against them, urged, by religious motives, to act against those who, in their unbelief, crucified the Son of God afresh. Such was the case with Peckham, and even with the more enlightened Stephen Langton. But the prelates, who were statesmen and lawyers, were generally on the side of Government, whose policy it was to extend protection to that great class, which formed a considerable part of the monied interest of the country.

These circumstances, however, conduced to make the Jews more unpopular among the masses of the people; and they were cordially hated by the vulgar, both of the clergy and of the laity. They saw them exempted from taxation, and knew not, or cared not to know, that, in point of fact, they were more highly taxed than any other class, because dependent entirely upon the caprices of the sovereign. The vulgar, also, saw them courted by their superiors, but knew not how sorely the nobles had to bleed for the temporary assistance lent them by the Jews.

Towards the close of Peckham's life, moreover, several things had concurred to render the Jews peculiarly unpopular. The national feeling, which had roused the people in the last reign against Poictevins, Savoyards, and Italians, was unable, among the lower classes, to distinguish between the Jews and those other people who sought to enrich themselves on the soil of England. Tyrannical, and inconsistent in his tyranny, as Henry III. had been in his conduct towards the Jews, they were well aware that their lives would be in danger, if the protection of the Government were for a moment withdrawn. The Jews, consequently, sided with Henry

against the barons, and supplied him with the munitions of war. After the battle of Lewes, in consequence, the violence of the people was poured out upon them, and the Jews were everywhere maltreated and robbed, until Simon de Montfort caused the country to know, that he intended equal justice to all, and not anarchy, to be the result of his victory.

To this we must add the fact, that there always was a degraded class, who would secretly countenance, though they dared not openly avow, their desire to see the Jews driven from the country—their noble debtors.

The conduct of the Jews themselves had been, also, most imprudent and injudicious. Encouraged by the increase of infidel opinions, they now, not content with toleration, openly assaulted the Christian religion.* This was, indeed, to dare the lion in his den. Every one who loved his Saviour was now enlisted in the cause against them. During the king's absence, they had been the chief offenders in tampering with the justice of the country; and the judges who were dismissed from office, were considered as having involved themselves in additional disgrace, by having received the money of the Jews. They were accused of having demanded from forty to sixty-five per cent. for the use of money; and of clipping, and otherwise depreciating, the coin of the realm.

The feeling of the country had, in short, become fanatical in its hatred of the Jews; and the House of Commons, in 1290, demanded, that the whole race should be banished the kingdom.

Edward I. was one of the greatest of our sovereigns, but he was not sufficiently great to resist the spirit of the age, when it accorded with his own religious

* Margoliouth, i. 250.

CHAP. VI.

John Peckham. 1279-92.

convictions, and, at the same time, with his worldly interests. Human nature is always the same. Fools are always numerous, and sometimes powerful; and wise men are not infrequently weak.

We are not required to enter into a description of the measures which were adopted; for though Peckham, harsh, severe, and intolerant, was sure to be on the side of what are called strong measures, he did not take a prominent part in the proceedings against the Jews. We need only, therefore, mention, that the king, probably for their protection, first directed that they should be imprisoned; then made them pay 12,000*l.* for their liberation; and finally, banished them the kingdom. The number of exiles has been variously estimated by some at 15,060, and by others at 16,511. The violence of the people against them was such, that the king was obliged to interfere for their protection.

Edward was enriched, at the time, by the confiscation of the property of the Jews; but it is not to be doubted, that the country suffered more by their expulsion, than the Jews themselves, and the court itself eventually suffered, as the annual tax, which they had hitherto paid for protection, was now withdrawn. By the introduction of bills of exchange—not, indeed, for internal trade, but for the general purposes of commerce—the Jews had investments in almost every country; and wherever they went, they found in their compatriots a united, accomplished, and charitable sect. For temporary exile from any country in which they were located they were prepared; and they were also prepared to return, for whenever a government wanted money, it had to deal with the Jews.

Peckham must have viewed with interest the eleva-

tion to the papal throne, of the General of his order. Jeronimo, a cardinal, and Bishop of Palestrina, was elected to the papacy, on the 15th of February, 1288, and was crowned, under the name of Nicolas IV. This was, indeed, the age when the mendicants, of all orders, were in the ascendant; and though there was already a rivalry between the Franciscans and the Dominicans, there was as yet no hostility. When the General of the Franciscans ascended the papal throne, one of the first things he did, was to name as cardinal, Matthew Aquasparta, General of the Dominicans.

No advantage of a personal character accrued to brother John from this event. But Matthew of Westminster sarcastically remarked, that the brothers of the Franciscan or Minorite order, regarded the pope as the sun, and the Archbishop of Canterbury as their moon. They thus set up their horn on high, and spared no order or rank in the Church of England.

Their triumph, however, was not of long duration. On the 4th of April, 1292, died Pope Nicolas IV.; and shortly after, brother John was released by death from the anomalous position, in which he had endeavoured to reconcile the poverty of the mendicant with the splendour of the primacy; his oath of allegiance to the King of England, with his vow of subservience to the will of the Roman pontiff. John Peckham died on the 8th of December, 1292. Matthew of Westminster remarks, that the sun of the Minorite brothers being obscured by the death of Nicolas, the moon soon suffered an eclipse. We gather from this author, that, before his death, Peckham had sunk into dotage; and he asserts that, having in his prosperity insulted many of his superiors, especially the Benedictines, he died unlamented,—at least by the monks.

CHAP. VI.

John Peckham. 1279–92.

The archbishop was buried in his cathedral at Canterbury ; but the precise spot is not known.*

Peckham founded the collegiate church of Wingham, in Kent, or rather, as Somner says, in the year 1282, he changed the parish church into a collegiate church, to be used by secular canons under a provost.

* Somner has a short dissertation on this subject. "Antiquities of Canterbury," 129.

NOTE.

There is mention of some poems by Archbishop Peckham, in Polycarp Leyser's "Historia Poematum Medii Ævi," Halæ, Magdel. Pp. 10, 11.

For the following account of the MSS. of the archbishop, in the University Library, at Cambridge, I am indebted to the kindness of the Rev. H. R. Luard, Fellow and Assistant-Tutor of Trinity College; to whose learned labours, in editing the "Chronicles of Great Britain," I have had occasion to refer more than once.

Ee. vi. 6, consists chiefly of poems: one is a poem entitled, "Humiliter confitentis compilata, ut credetur, a fr. J. Peckham de ordine fr. Min. Arch. Cant. matrice dicta."

This is followed by the very curious poem, called, "Philomela," beginning,

"Philomela prævia temporis amœni
Quæ recessum nuntias imbris atque cœni,"

which is also found in Dd. iv. 35, § 6. It is a "passio," comparing Our Lord to a nightingale, and is printed in the works of St. Bonaventura; Mogunt. 1609, VI. pp. 424—427. This is certainly Peckham's.

There is another poem on the vanity of human affairs, beginning,

"Dum juvenis crevi ludens, nunquam requievi
Sœpe senes sprevi cor deliciisque replevi,"

probably Peckham's; and the well-known

"Cur mundus militat sub vana gloria
Cujus prosperitas est transitoria,"

and which has been frequently printed, and is attributed to various authors.

Dd. xiv. 20, § 10, contains a "Defensio fratrum Mendicantium, per Jo. Peckham," beginning,

"Christe vicarie monarcha terrarum ;
Vir martyris ecclesiæ, cella Scripturarum,
Magister justitiæ, meta causarum,
Meæ querimoniæ aurem præhe parum."

Dd. xv. 21, contains a

"Psalterium beata Mariæ Virginis de Psalmi sanis scriptum." This begins with a prologue :

"Mente concipio laudes conscribere
Sacratæ Virginis quæ nos a carcere
Solvit perfilium genus ingenere
Hinc mirificans effatis opere."

The poem begins :

"Ave Virgo virginum parem atque pari
Sive viri semine digna fœcundari
Fac nos legem Domini crebro meditari
Et in regno gloria beatificari."

This is also found in Ff. vi. 14, § 5.

CHAPTER VII.

ROBERT WINCHELSEY.*

Born at Winchelsea.—Destruction of the Town.—Educated at Canterbury. —Paris.—Rector of the University.—Enters at Merton College, Oxford.— Chancellor of Oxford.—Archdeacon of Essex.—Probably Chancellor of London.—Elected to the Archbishopric.—Goes to Rome.—Consecrated at Aquila.—Returns to England.—Extraordinary demand of the Earl of Boulogne, and the Bailiff of Whitsand.—Invested with the Temporalities by Edward I.—Excommunicates the Welsh Prince. — Takes the Pall to Canterbury.—Offices performed by the Nobility at the Enthronization. —The Earl of Gloucester's Fees.—Splendid Enthronization.—Bill of Fare —Insult offered to the Primate by two Cardinals from Rome.—Marriage of Edward I. with Margaret.—Unpopularity of Winchelsey.—Provincial Visitation.—Reception of the Archbishop at Chichester.—Winchelsey's connexion with the Earls of Hereford and Norfolk.—Character of the King.—Illegal Acts.—Attack on Church Property—The Bull *Clericis Laicos*.—Decided course of the King.—Clergy outlawed.—Archbishop's perverseness.—Good conduct of the King.—A Synod.—Counsel employed by the King.—Church and State opposed to the Archbishop.—Divided allegiance.—His want of loyalty.—Attends the King in his Address to the People before going to Flanders.—Claim of Pope Boniface to the Suzerainty of Scotland.—Winchelsey's conduct.—Waits on the King in Scotland.—Parliament of Lincoln.—Rejection of Pope's claim by Parliament.—Winchelsey's Treason.— Synod of Merton.— Winchelsey universally hated.—Accused of Treason.—Mean and cowardly conduct. —Banished the country.—Ill-treated by Pope.—Goes to Bourdeaux.— Paralytic seizure.—Death of Edward.—Winchelsey returns.—Recovers strength.—Persecution of Templars.—Improved conduct of Winchelsey. —Regains good opinion.—Opposes Edward II.—Death at Oxford.

CHAP. VII.

Robert Winchelsey. 1294-1313.

THE tradition that Robert, the forty-ninth Archbishop of Canterbury, was born at Winchelsea, is confirmed

* Authorities. We obtain the chief dates of this primate from the "Excerpta de Roberto Winchelse," appended by Wharton to Birchington, Ang. Sac. i. 50. We gather, also, a few notices of him

by the name he assumed.* The fact of his having assumed the name of his native place gives force to the tradition that he was of humble origin; for surnames had become common in the middle classes of society, before the commencement of the thirteenth century. The date of his birth is not known, but it must have occurred about the middle of the reign of Henry III. and his early years were passed amidst turmoil and trouble, whether we look to commotions in the natural world, or to revolutions in society. In the year 1250, and again in 1252, such awful storms prevailed, that desolation was spread over the whole

from the Epistola Walteri Archiepiscopi Cant. ad Johannem xxii. Papam de Canonizando Roberto Winchelse, Archiepiscopo Cantuariensi, Ang. Sac. i. 173. We pick out the rest of his history from the Chroniclers—Mat. of Westminster; Walsingham; Trivet; Adam de Murimuth; Chron. Lanercost. I have gathered some interesting particulars from the Register in Lambeth Library, a MS. at Canterbury, Langtoft's Chronicle, published, among the Political Songs, by the Camden Society, and from the MS. Statutes of Chichester Cathedral.

* The name of the town is written Winchelsea; the name of the archbishop, variously spelt, is now generally given as Winchelsey, the name adopted by Stubbs, in the Registrum Sacrum. Somner derives the name from the Saxon words "Wincel," *angulus*, and "Ea," *mare;* and he says it signifies a "waterish place, seated in a corner." Jeake, in a note, gives an old Latin line of

"Dovor, Sandivicus, Ry, Rum. Frig. mare ventus."

It is literally, "Friget mare ventus Wind-chels-sea." Chil, an old word, he adds, yet in use for cold; and well might the old town deserve that name, standing in a low place, open both to the winds and the sea. Twine imagines it to have been written originally "Windchelseum," from its being exposed to the winds; for so, he adds, "Olim vento, frigori, et ponto obnoxium, unde ei nomen obvenit." Halloway gives the name and interpretation, Winchelsea, Wind-cold Island, or more properly, Cold-wind Island. For these references, and for all that is here said of this town, I am indebted to Cooper's well-written and interesting History of Winchelsea.

CHAP. VII.

Robert Winchelsey. 1294-1313.

of the east coast of England. Ships were driven from their anchorage, trees of the largest size were uprooted, churches were deprived of their spires, and the lead was stripped from the roofs; the waves of the sea broke its banks, swelling the rivers, destroying the mills, desolating villages, sweeping away the dead bodies of men, women, and children whom it had overwhelmed. No place suffered so much as Winchelsea. The sea, for a long period, had been making inroads upon the old town, and before our archbishop's death, the place of his nativity had ceased to exist. Old Winchelsea was totally destroyed in 1287.* "The ruins thereof," says a writer in 1724, "now be under the waves three miles within the high sea," and for many years it could be said :

> "Invenies sub aquis : et adhuc ostendere nautæ
> Inclinata solent cum mænibus oppida mersis."

If Robert had to deplore the ruin of his birthplace, he lived to see its restoration to prosperity, for it continued to be a place of importance, when it was removed, rather than rebuilt, on a site called Icklesham or Iham, about a mile and a half from the sea, which was given to the inhabitants by Edward I.

In the disturbances of the reign of Henry III., the town of Winchelsea sided with the barons; and we may trace to his early associations the independent spirit with respect to royalty, which Winchelsey exhibited throughout his life.

At an early age, Robert, having manifested, it may

* In the records of Rye, referred to by Cooper, p. 20, this sad event is thus recorded :—"M.D. quod Anno Domini, 1287, in vigilia Sanctæ Agathæ Virginis, submersa fuit villa de Winchelsea, et omnes terræ inter Clevesden (*i.e.* cliff end) usque ad le vochere de Hythe."

be presumed, some aptitude for learning, was admitted into the school at Canterbury, in which, as we have seen, many eminent men received their education. He was a handsome boy, of insinuating manners and amiable address; and, although he was certainly not a man of much original genius, yet he was distinguished for his industry and talents, both at school and at the universities.*

From Canterbury school he proceeded to Paris, and here his success appears to have been remarkable. At an early period, he received his degree of Master of Arts, "ex prærogativa nobili meritorum." This may, possibly, have been the formula in which degrees were granted, but what afterwards became a form, originated in a reality; and it is improbable that the compliment had already become a thing of course. That Winchelsey, at all events, acquired distinction during his residence in Paris, is proved by his being appointed, soon after, Rector of the University. We are told that he discharged the duties of the office with credit to himself, and to the satisfaction of those by whom he was appointed.

On his return to England, he became a member of Merton College, Oxford, of which a description has been given in the preceding chapter. Here, too, he became a favourite, and received his degree in theology "ex condignis meritis." The former Rector of the University of Paris was, in the year 1288, after graduating in divinity, appointed Chancellor of Oxford, as Walsingham informs us, with general consent.

* He is described "in ætate puerili," as "toto corpore speciosus, omnibus amabilis et gratiosus, bonæ indolis, docilis, et ingeniosus." In later life he became portly, still, however, retaining his good looks: "Vir esset corpulentus et bene complexionatus." Birching, ii. 15. Ang. Sac. i. 13.

CHAP. VII.

Robert Winchelsey. 1294-1313.

It is not easy to ascertain what were, at this time, the precise duties of the Chancellor of Oxford. In a monastic institution, or in a cathedral, a chancellor was the officer upon whom all that related to the education of the inmates of the establishment depended. His supervision extended to the library; and the custody of the muniments and of all the records was confided to him. The university was a development of the school, and we may infer the original duties of the chancellor, from the titles which were assigned to him as designating those duties; he was the Regens, the Rector, the Præpositus, the Magister Scholæ or Scholarum, the Scholasticus. When the University increased in numbers, and a division of labour became necessary, the Regentes or Magistri were necessarily multiplied. The chancellor, without, at first, renouncing his duties as a teacher, soon became sufficiently occupied as the superintendent of the subordinate masters, and in administering the discipline of the University. He became, in fact, the chief magistrate, and was elected, or re-elected, annually. At Paris, the office of Rector corresponded with that of the Chancellor of Oxford, with this difference, that over the elected Rector, a Chancellor was nominated by the bishop, whose duties were defined by statute. At Oxford, the Chancellor, being elected by the University, combined the duties of the two offices of Chancellor and Rector.*

The merits of Winchelsey procured for him the

* The statement here made is the result of an examination of what has been advanced on this subject by Meiners, de Boulai, and Huber. De Boulai states, that the Chancellor of Paris was empowered to inflict or remove censures in the name of the bishop, and, on the same authority, to give licence to teach in the cloisters. Even down to the time of Bishop Ken, the cloisters formed the schoolroom at Winchester. In either case, the seal of the University was in the keeping of the Chancellor.

patronage of Richard de Gravesend, Bishop of London.* He not only made Winchelsey Archdeacon of Essex, but assigned to him another stall in St. Paul's Cathedral. We know that he was desirous of promoting learning in his diocese, and that he was determined to make the Chancellor of St. Paul's something more than a mere dignitary of the Church. He appointed him to read a divinity lecture, and decreed that the office should only be held by a bachelor or doctor in divinity. As we know, also, that Winchelsey gave lectures in theology, we may, therefore, conclude that the stall he held was that of chancellor.† He now resided in London, and laboured diligently as a preacher.

Archbishop Peckham died on the 8th of December, 1292, and the prior and convent of Canterbury lost no time in taking the necessary steps for the election of his successor.‡ They issued immediately a provocatio, or claim of jurisdiction over the province, as well as over the diocese, during the vacancy of the see, and they signed the usual commissions. They then sent a

* Richard de Gravesend was a prebendary of Lincoln in 1272; Treasurer of St. Paul's; Archdeacon of Northampton, 1272; Archdeacon of London, 1273. He was consecrated at Coventry on the 11th of August, 1280. He was ambassador to France in 1294, Guardian of the Realm in 1298. He founded the Carmelite Friary at Maldon; and instituted the subdeanery of St. Paul's in 1290. He died at Fulham, December 9, 1303.—X. Script. Wikes, 109. Trivet, 365. Ann. Waver, 235. Ang. Sac. i. 504.

† Newcourt's Repertorium, i. 16. Winchelsey's name does not appear as chancellor in Le Neve; but his list is, at this period, by no means complete.

‡ We possess minute particulars relating to the election and enthronization of Robert Winchelsey, which I have accordingly given. The documents relating to the enthronization are given in Somner and in Battely, from original documents, with which the printed statements have been collated for the present work by the Hon. Mr. Finch and the Rev. Robert Hake.

CHAP. VII.

Robert Winchelsey. 1294-1313.

deputation to wait upon the king. Edward privately signified his wish that Winchelsey should be elected, and signed the *congé d'élire* on the 8th of January, 1293.

On receiving the *congé d'élire*, the prior summoned a chapter to fix the day of election. The election was generally appointed to take place within six or seven days after the receipt of the king's licence. But a longer time was now permitted to elapse, with the view of providing for the attendance of all persons, who had a right to vote. Public notice was given in the cathedral, when the day of election was finally settled, in which it was stated, that leave had been asked and obtained of the illustrious King of England, to choose a new archbishop, according to the custom of the kingdom. The only restriction to which, at this time, the chapters were subjected, was, that they should choose a person loyal to the king and realm. This was, in point of fact, however, the reservation, on the part of the king, of a right of veto. It were easy to reject, as disloyal, any one obnoxious to the Court. Circulars were issued to the clergy of the diocese and the bishops of the province, requiring their prayers for a blessing upon the election.

On the day of the election, the chapter and other members of the cathedral assembled at an early hour for prayer. At nine o'clock a procession was formed to the chapter-house, of all who were concerned in the election. The Martyrology of the cathedral was read, and a sermon was delivered by the prior, exhorting the brethren to peace, love, and unity. The hymn "Come, Holy Ghost, our souls inspire," still used in our ordination service, was then sung, all kneeling humbly on their knees. The hymn was followed by three collects still retained in the Prayer-book: "O God, from whom no

secrets are hid :" "O Lord, from whom all good things do come :" "Prevent us, O Lord, in all our doings." These prayers were offered by the prior.

After a few other preliminaries, the members of the chapter ranged themselves in their several places, and the prior proceeded to ask them one by one, as to the method to be pursued in the ensuing election. Two of them proposed that the election should proceed by scrutiny.* On this a discussion arose, and the difficulties which would occur, were this mode adopted, having been duly considered, it was unanimously determined that the election should take place by way of compromise. Compromissories were then elected, the sub-prior, the precentor, and one of the penitentiaries. These were to add four to their number, two from the stalls on the right side and two from the stalls on the left side of the choir. To these seven the power of election was committed; the chapter having *promised*, under the common seal, to be bound by their choice.

The compromissories now retired into the library; and, after prayers, they discussed the merits of various persons who were suggested, until they determined, unanimously, to make choice of the royal nominee, and Robert Winchelsey, Archdeacon of Essex, was duly elected.

* There were three ways of election. There was sometimes an election by acclamation; the whole multitude would call out the name of one man, as was the case with St. Ambrose. This was regarded as a direct inspiration of the Holy Ghost. The second was *per viam scrutinii*, when several persons being nominated, each elector gave his vote, as is now done at a university election. The election *per viam compromisi* has been described in our text. The electoral body delegated its powers to a committee, or elected the electors, as is the case in some of the elections at the present time in the United States of America.

CHAP. VII.

Robert Winchelsey. 1294-1313.

The rest of the chapter were, in the meantime, occupied in chanting the penitential Psalms and the Litany. They had just finished the Litany, when the sub-prior and the members of the committee made their appearance at the door of the chapter-house. The election was in accordance with the expectation of the chapter; but, as it might possibly have been otherwise, the announcement was received with much joy. There was no wish to be involved in difficulties with such a king as Edward I.

The prior instantly repaired with his brethren to the nave of the church, and there, both in Latin and in English, proclaimed Robert Winchelsey the elect of Canterbury. The proclamation was received with enthusiasm, and the doors of the choir being thrown open, a Te Deum was sung.

Archdeacon Robert received private information on the 25th of February, that the nominee of the Crown had been duly elected by the Chapter of Canterbury. He was evidently expecting the offer of the mitre, and his request, when the officials waited upon him, with the necessary documents to prove his election, that he might have a day to decide whether he would accept the appointment, was mere compliance with usage. Accompanied by the prior and two proctors from the chapter, he rode forth to Northampton, where the king was then holding his court. The whole party were graciously received by Edward. The morning after their arrival at Northampton, a council was assembled, before which the archbishop-elect and the representatives of the chapter were convened. The Bishop of Durham announced the royal assent in the following words:* "Our lord the king, bearing true affection to

* A very remarkable man was Anthony Bek, or Becke, at this time Bishop of Durham. He was the son of Walter Bek, Baron of

the Church of Canterbury, which is the metropolitical and mother Church of his kingdom, and being desirous to do it honour, considering also the qualifications for the office and other merits of the person elected and now presented to him, doth freely give his royal assent, my lord elect, to the election which that Church hath made of thee to be their archbishop."

The king added gracious words of his own. Turning to the elect he said, "Blessed be they of the Lord, who

Esseby, in Lincolnshire, and was educated at Merton College, newly established at Oxford. He was, as a statesman and a soldier, in high esteem at the courts of the first and second Edward, though a man very different, in every respect, from Bishop Burnell. He was prominent in maintaining the claims of Balliol to the throne of Scotland, as superior to those of Bruce. He went as envoy to Scotland, to contract the marriage between Prince Edward and Margaret, the Fair Maid of Norway, in 1291. In 1292, he was sent ambassador to the Emperor, for the conclusion of a treaty between him and the King of England against France. In the same year, we find him acting as Regent of Scotland. In 1296, he joined the army of Prince Edward, at the head of 140 knights, 1,000 infantry, 500 horse, and 26 standard-bearers, which formed the van of the royal army. He led the second line at Falkirk, with 39 banners behind him. He was severely wounded in this engagement, but was rewarded, in compensation for his services, by receiving Baynard's Castle from the forfeited estates of Balliol, and Hartlepool from the estates of Bruce. These he afterwards forfeited by quitting the kingdom, without the king's licence, to prosecute, at the court of Rome, a dispute which he had with his monks. Edward II. compensated him with the grant of the crown of Man. This gallant officer and learned diplomatist was enabled to accomplish his objects of ambition, through the wealth which was supplied to him by the see of Durham. He was consecrated Bishop of Durham on the 9th of January, 1284, and on the 4th of May, 1306, he became Patriarch of Jerusalem. He died on the 3rd of March, 1311, at Eltham, the manor house of which he had built. He was, like many of his contemporaries, a great builder. He built Somerton Castle, and improved the Castles Baynard and Alnwick. He founded Alwingham Priory.—Trivet, 309, 331, 348. Wikes, 111. X. Script. 1,727, 2,478, 2,492, 2,500, 2,506. Walsingham, 75. Graystanes, xviii.

CHAP. VII.

Robert Winchelsey. 1294-1313.

have unanimously elected thee to this dignity, by the will of God."

The unanimity exhibited upon an occasion so frequently productive of controversy, was a subject of congratulation to all; and the records of the chapter inform us, that the ladies of the court were as enthusiastic in favour of the new archbishop as were their lords.

There seems to have been a suspicion, that some opposition might be raised to these proceedings at Rome. Winchelsey was, certainly, very anxious to have every legal document properly prepared, and started on his journey to Italy with as little delay as possible.

The archbishop-elect arrived at Rome on Whit Sunday, 1293. The papal throne being vacant, his business, relating to his confirmation, was, of course, delayed, and he was kept at Rome for a whole year. He made so favourable an impression, that it was suggested—not, perhaps, seriously—that, if the hesitating conclave were to elect Winchelsey as the successor of Nicolas, they would confer a benefit upon the Church.*

The choice of the conclave at last fell upon the pious, but unfortunate Peter de Morone. He was elected in July, 1294, and assumed the name and title of Celestine V. With the new pope, Winchelsey was in such favour, that he was offered a cardinal's hat. At that time, it would have been considered necessary, upon his advancement to the cardinalate, that he should resign his archbishopric, and this the elect of Canterbury was unwilling to do. But Celestine did

* Some of the "Majores" of the Roman Curia affirmed, "Se non vidisse de regno Angliæ virum in tot meritis sibi parem;" Birchington adds, "ad summi Pontificatus honorem tunc vacantem ipsum reputaverant dignum fore." Ang. Sac. i. 12.

what he could to expedite Winchelsey's business at Rome. The commission to three cardinals, to examine into the merits of Winchelsey's election, was issued on the 1st of September,—the first consistory of the new pope. The report was made on the 5th, and, on the 6th, the confirmation was solemnly declared and published. On the 12th of September, Robert Winchelsey was consecrated by Gerard, Cardinal of Sabina, at Aquila, a new town then rising into importance.

And now, having been absent from England a year and nine months, Archbishop Robert had time to calculate the expenses he had incurred, and he found that he had spent in England, in the two months which had elapsed between his election and his departure to Rome, one hundred and forty-two pounds, and nineteen shillings; and in Rome, two thousand four hundred marks sterling. In addition to this, the proctors of the chapter expended one thousand seven hundred and forty-four marks sterling.

The archbishop was involved in some trouble by a demand which was made upon his purse by the Earl of Boulogne. The Earls of Boulogne had established a law, by which they laid claim to the best sumptuary horse, with its lading and harness, of any Archbishop of Canterbury who should land at Whitsand, on his way to Rome. The Bailiff of Whitsand also required, that the archbishop should lay upon his table a heap of sterling money, of which the bailiff was to appropriate, to his own use, as much as he could take up, at twice, with both his hands. This was a tax for permission to pass through the Earl's territories; and ever after, until the next avoidance of the see, the archbishop, his servants, and his messengers, might pass and repass toll free. But Archbishop Robert did not, in going or returning, pass through the earl's

CHAP. VII.

Robert Winchelsey. 1294-1313.

dominions. Owing to the hostile relations of France with England, he thought it safer to go through Germany, Brabant, and Holland, and he disembarked at Great Yarmouth. The earl, however, contended, that he *ought* to have passed through his dominions, and that, therefore, he must pay accordingly. Winchelsey resisted the demand; but such a heavy tax was laid upon all his people and messengers, who had occasion to visit the Continent, when peace was re-established, that he found it expedient to compound with the earl, by the payment of forty pounds—a large sum, when multiplied by twenty, or twenty-five, to raise it to the present value of money.

It was on New Year's Day that Winchelsey landed at Great Yarmouth. Circumstances had occurred, during his absence from England, as will be hereafter noticed, which inclined the archbishop to avoid, if possible, a personal interview with Edward. He commissioned, therefore, the Dean of St. Paul's, accompanied by the Precentor, to repair, with the necessary documents, to the king, who was then in the Marches of Wales, and to solicit a restoration of the temporalities of the see of Canterbury. The king's reply was that, by the common law of the land, he could make restitution of the temporalities to no one, except to the archbishop in person. Accordingly, the archbishop waited upon the king at Aberconway, and was graciously received. The king had his reasons for not receiving the oath of fealty by proxy, and it was in due form administered to the primate. Winchelsey, according to custom, laid his hand upon his breast, and began to repeat the words after the clerk, when, suddenly, he let his hand fall, and appeared to be deliberating with himself, whether he should proceed or not. After a pause, he resumed the proper posture, and repeated the

words, till he came to the close, and then he protested, that he took the oath in the sense in which it had been taken, or ought to have been taken, by his predecessors. It was now the king's turn to pause; but, if angry feelings struggled in the royal breast, they were suppressed, and, after a time, the king said, "We restore to you your temporalities." They then proceeded to business. A composition was entered into with the archbishop for the cattle, the corn, and various fixtures on the manors, or manor-houses, of the archbishopric.

The king and the primate appear to have come, at this time, to a mutual good understanding. The archbishop excommunicated Madoc Llewellyn as a rebel, and directed the excommunication to be published throughout his province; and the king promised to grace, with his presence, the archiepiscopal enthronization. The effect of the excommunication was, probably, great, as Matthew of Westminster heads his chapter with the line, "Wallia calcatur, præsul novus enthronizatur"—evidently connecting the two events. The archbishop then proceeded to London, and there made several orders for the regulation of the Court of Arches.

Winchelsey had received the pall from the pontiff himself, and, under those circumstances, he was required to present it in person to his cathedral, and a special formulary was provided for the purpose. He arrived at his manor-house, at Ospringe, on the 17th of March, where he passed the night. On the next day, he mounted a white palfrey, splendidly caparisoned with white trappings, and turned his face towards that city, which he had entered, a few years before, an obscure youth, to seek the gratuitous education, through which he had been enabled to achieve his present greatness. He was attended by a splendid

CHAP. VII.

Robert Winchelsey. 1294-1313.

cavalcade. The clerks of his household mingled with his tenants; knights and ecclesiastics were associated; all prepared to keep holiday. As they approached Canterbury, another procession was seen issuing from the gates. The members of the chapter in their copes, the banners carried before them, were attended by the civic authorities, and a multitude of people in various costumes; friars and stray monks from St. Augustine's mingled with the traders of various denominations, and constituted a well-ordered mob. The appearance of such an assemblage was, at this time, peculiarly picturesque, from the plentiful use which was made of flowers. Not only the people generally, but the clergy also, were accustomed to twine garlands of roses, honeysuckles, and other sweet-smelling flowers, round their caps. If, in Birnam Wood, there were a garden of flowers, that garden might the archbishop, if he possessed any powers of imagination, have supposed to have come forth to meet him, when he gazed on the happy scene before him.* But his eye was fixed on the sub-prior, who was bearing the archiepiscopal cross, wrought of gold, and sparkling with jewels.† As soon as Winchelsey saw the distinctive emblem of his office, he dismounted, and, prostrate on the ground, he awaited the arrival of the sub-prior. Holding the cross in his hand, the sub-prior addressed

* Stow mentions a procession in London, when the dean and chapter, "apparelled in coaps and vestments, with garlands of roses on their heads, issued from the west door of St. Paul's."—*Stow's Survey*, 368. Chaucer describes a young man,

"With hatte of floures as fresh as May,
Chapelet of roses of Whit-Sunday."

† In the appendix to Dart may be seen an account of the rich crosses of several of the archbishops, together with an account of the magnificent vestments and various decorations, both of the church and its officers.

an admonition to the prostrate primate, charging him, in the name of God, to perform manfully the duty to which he was called, in governing the Church, which had been entrusted to his pastoral care, and in maintaining its rights. The archbishop, having received the cross on his bended knee, rose from the ground, and handed it to one of his chaplains, who, from that time, was his cross-bearer. The two processions now united, and directed their steps towards the cathedral. Here the prior, arrayed in one of the most magnificent of the professional copes of the convent, was standing to welcome the new primate to his church.* When the archbishop had dismounted, the prior received the thurible from the acolyte, and incensed his grace. This was the ordinary method of receiving an ecclesiastic of distinction and high rank. The archbishop's chaplain came forward, and placed, in the prior's hands, the pall, covered with a fair linen cloth.† The prior received it, placed it in a silver vase lined with silk, and re-

* Every newly-consecrated bishop was expected to present a cope becoming his dignity to the metropolitical church, as a token of that obedience and subjection which he solemnly professed to the metropolitical church at his consecration. This was called the professional cope. See Battely, 106.

† Winchelsey, as is often the case with men of humble birth, was very sensitive as to matters of respect, and attended much to forms and ceremonies. The record of all that took place at his election and enthronization was preserved at Canterbury and Lambeth, and formed the model for such ceremonials from the thirteenth to the sixteenth century. I have, therefore, given in detail an account of the proceedings, so far as my limits would admit. It will not be necessary, afterwards, to repeat the description. Copious extracts from the MSS. are to be found in Somner, Battely, and Dart. I have consulted the Lambeth MSS. and elucidated the statements by reference to the office, "De Enthronizatione Archiepiscopi si pallium a sede apostolica personaliter receperit," and "Inthronizatio Episcopi cum ad sedem episcopatus sui advenerit," with the notes of Maskell and of Dr. Rock.

CHAP. VII.

Robert Winchelsey. 1294-1313.

turned it to the chaplain. By the chaplain, on upraised hands, it was borne in the procession now formed. The great doors of the cathedral—only opened on great occasions, such as the visit of the archbishop or the king—were now expanded, and the procession advanced, while the choir raised the anthem, "Stand, therefore, having your loins girt about with truth, and having on the breastplate of righteousness." As they entered the choir, the other members of the convent filed off to their respective stalls, while the archbishop, attended by the prior and his chaplain, approached the altar. As the chaplain placed the pall upon the altar, the archbishop prostrated himself, and remained, for some time, in silent prayer. The silence was broken by the deep-toned voice of the prior, who commenced the devotions with a *Salvum fac servum*, and proceeded to chant certain collects. A silence again ensued, when the archbishop, rising, extended his hand, and pronounced the benediction on the kneeling multitude. The Te Deum was intoned; the people rose, and joined in that noble hymn. A procession was again formed, and the new archbishop paid his devotions to the shrine of St. Thomas, resplendent, as it was, with jewels and gold. Returning to the choir, the primate took his seat, not upon his throne, for he was not yet enthroned, but on his wooden chair —a chair which was richly gilt.* Here the oath was administered to him by the prior, that he would maintain the rights of the cathedral, and observe all laudable customs. He received the members of the chapter with the kiss of peace, and then returned to the vestry, where he gave directions for his enthronization, appointing it to take place in October.

* Somner, 93.

An enthronization was, at this time, regarded as a national event, second only in importance to a coronation. We have lived to see three coronations; and at each of them, a Court was appointed, to adjudicate the claims of various parties, who claimed to perform offices, and to enjoy the perquisites of the same; or to require the services of others, who were bound to do duty at the ceremonial. In the thirteenth century, much of what would now be regarded as mere formalities, assumed a character of importance; for upon the due performance of certain offices, the rights of tenantry depended. By the neglect of a stipulated duty, an estate might be forfeited, or a fine incurred. Men paid for estates, not merely by money, but also, frequently, in part, by service. To uphold the dignity of their office, became more and more an object with the primates, just in proportion as they were losing that real importance, which had originally consisted in the reverence entertained for their episcopal character. A High Court of Stewardship was held, at the archbishop's palace. At this court, Nicolas de Melvil, described as Lord Coniars, together with Master Stranguish, as lords of the manors of Wyvelton, Semer, Eston, &c. were appointed to perform, conjointly, the office of panterer, on the day of the enthronization. What their fee was, is not known. Bartholomew, Lord Baddlesmere, in right of the manor of Hatfield, near Charing, put in his claim, and was admitted to the office of chamberlain, having, for his fee, the furniture of the bedchamber. The son and heir of Roger de Mereworth claimed the office of carver, and to receive, for his perquisite, all the knives that were used at the table: his claim was admitted, but, as he was not a knight, Sir John Bluet was appointed by the High Steward to act as his deputy. Roger de Kirkby sued

CHAP. VII.

Robert Winchelsey. 1294-1313.

for the office of cupbearer, in right of the manor of Horton, and to have the cup out of which the archbishop should drink: he, too, was not a knight, and the office was performed by Sir Gilbert de S. Ouen.

The great and powerful Earl of Gloucester claimed the two offices of high steward and of high butler, and was prepared to discharge the duties of both.* It was not, however, for nothing that the stout Earls of Gloucester performed the duties devolving upon them for the manors of Tunbridge, Veilston, Horsmonden, &c. We possess a list of his perquisites. Seven robes of scarlet were prepared for the lord steward; and when these had been handed over to his servants, then other servants, for the same lord, demanded seven more robes of scarlet for the high butler. To the same earl, in the double capacity of seneschal and butler, were apportioned fifty sectaries of wine, and one hundred wax candles. He demanded hay and corn *ad libitum* for one hundred and forty horses, and free entertainment for his suite. He was careful to see, that the dishes and the salt-cellars, which were to be placed on the archbishop's table, were of the most precious materials, and that the cup, out of which he drank, was of pure gold; for these, at the close of the day, would be his fee. A dispute arose, in respect to the empty hogsheads, which were claimed for the earl, as high butler. If this claim were granted, then the earl would have a personal interest in causing the barrels to be drained, and the temptation to intoxication, great as it was, would have been greater still. So it was agreed, if, including the day following the feast, six tuns of wine

* Matthew of Westminster, ad ann. 1295, speaks of Gilbert de Clare, Earl of Gloucester, as "post regem potentissimus regni in opere et sermone." He was son-in-law to the king, having married his daughter Joan. He died December 7, in 1295. Mon. Angl. ii. 61.

were consumed, all the hogsheads should belong to the earl; but, if more than six tuns of wine were consumed, then the hogsheads, over and above those which had contained the six tuns of wine, should remain with the archbishop.

But besides the great barrel question, there were measures taken for the restoration to health of those, whom the contents of the barrels, and the other good cheer, might affect. The Earl of Gloucester was to have permission to abide, but only with fifty horses, at four of the nearest of the archbishop's manors, for three days after the feast, for blood-letting, *ad sanguinem minuendum.**

And now all things were ready. The archbishop, that he might be near at hand for consultation, had taken up his abode, for several days, at his manor of Chartham.

The king arrived at Canterbury, and, with his son, Prince Edward, and his brother, Prince Edmund, he took up his abode at St. Augustine's.

The city, accustomed to see multitudes encamped around it, was now filled with earls and bishops with their retinues, with knights and squires, with merchants of every nation, and clerks of every order and degree, with a mob kept in order less by a police, than by the expectation of receiving what would only be given to the orderly and well behaved. Many there were, ready, when their services were required, to be employed in war, and, when the opportunity occurred, to give themselves to pillage in time of peace; who had come prepared to avail themselves of the almost unlimited alms-giving, which the great and the good mistook

* It was not uncommon to set aside some manor belonging to a monastery as a place to which the monks might retire to be blooded. See Chapter VIII. Life of Walter Reynolds.

CHAP. VII.

Robert Winchelsey.

1294-1313.

for charity; and also to participate of the plentiful remnants of the feast, of which, by good management, all might partake.

On the Sunday after the feast of St. Michael, the 2d of October, the archbishop re-entered Canterbury. He was met, as before, at the cemetery-gate, and was incensed by the prior. With a ceremonial similar to that already described, the pall was placed upon the altar, and then carried to the vestry, where the archbishop awaited the arrival of the king.

The reception of an anointed king was a religious ceremonial. The royal procession formed at the gates of St. Augustine's. The streets were prepared for his reception. If, in October, the garlands were not so gay as on a former occasion, yet the houses were festooned with the richest drapery, amidst which appeared the smiling faces of the fair sex, as enthusiastic as their lovers, husbands, or brothers, in favour of the patriotic king, whose sword had fought the Lord's battle in the Holy Land. The narrow streets appeared like a continuation of the nave of the cathedral, with the blue sky for its vaulted roof. Through the streets, in martial pomp, the retinue of each earl and baron, looking like a modern regiment, passed, at different periods of the morning. Thus came in state the Earls of Lincoln, Pembroke, Hereford, and Warwick, and, entering the cathedral by the north porch, they proceeded across the nave, and took their places behind the high altar, and near the marble chair.

The king was met by the prior, and the other members of the convent, when he reached the precincts. As he approached the cathedral, the great west door was thrown open, as it had been to the primate. And now burst on the eye a scene, such as it is difficult, in modern times, to realize to the mind.

The artistic feeling is more powerful, and less restrained, in a semi-civilized state of society, than it can be under those social conditions, when everything is subjected to the criticism of the fastidious, and the feeling itself is condemned by the utilitarian. At this time, every person arrayed himself in every species of finery he could command, and the decorations extended from persons to things. Viewed in detail, there may have been much which was calculated to excite a smile, or offend good taste; but, even under such circumstances, the *coup d'œil* may have been such as to provoke admiration. It may have been contrary to what would now be regarded as good taste, but still there was something which met the cravings of human nature for the beautiful, in the red and blue draperies which festooned the tinted walls, between shafts and arches painted red, green, and yellow; in the glowing streams of light flowing down from windows, dyed with azure, ruby, and amber, upon the bright armour of the chivalry or the copes of the clergy, stiff with gold, sending up a reflected light to the triforium—peopled with all the beauty and fashion of the age, where beat many hearts with mingled feelings of worldliness and devotion. As the procession moved up the nave, a pendant thurible swung its incense through the fabric, the organ sounded, and, at intervals, the tapers, lighted upon the twenty or thirty side altars,* made the dim light brilliant by the ray cast upon the silver and the gold, while the jewels were made to twinkle.

The king, passing through the nave, went up into the choir. From the choir he ascended another flight of steps, and bent his knee before the high altar, which

* Somner says there were twenty-five; Battely makes them thirty-five, but they were not all connected with the aisles or the transepts.

CHAP. VII.

Robert Winchelsey. 1294-1313.

stood surrounded, not only by the externals of wealth, but by caskets containing relics, esteemed more precious than gold. He then went beyond the altar, and stood by the marble chair—the chair of St. Augustine, the patriarchal throne, which was ascended by eight steps. The king had scarcely reached his place, when the doors of the vestry were opened, from which issued the procession of the archbishop. Amidst clouds of incense, the clergy appeared in copes, the cost and splendour of which even a mediæval milliner would have found it difficult to appraise or describe. Fair hands had been employed in the manufacture, for the ladies of England were celebrated, throughout Europe, for their skill as workwomen, and the chasubles, copes, dalmatics, and tunics, which came from their hands, had a world-wide fame. Ladies are, in our age, not unfrequently employed in church-work; but it may be doubted, whether they make use of cloth of Tars, and fabrics of Saracenic looms; whether they would be permitted, with safety to their persons or the Church, to provide vestments of silk, damasked, rayed, clouded, or marbled; whether they might mould into shape samite, satin, velvet, or cloth of gold, either plain, or shot with colour; whether they even know what is meant by ciclatoun and beaudikin.* All these were found in the ecclesiastical wardrobe of the thirteenth century, and all the finery of the cathedral was put into requisition at the enthronization of Winchelsey. The bishops appeared in their mitres, and mitres had, of

* Rock, ii. 279. In the Appendix to Dart, may be found a description of many of the vestments used in Canterbury Cathedral. "Casula de sameto radiato, tunica de quodam panno marmorea spisso, tunica de panno indico Tarsico besantato de auro," &c.—*Dart, Append.* ix.

late, become costly and jewelled crowns.* Between two prelates the archbishop came forth, preceded by his cross-bearer, vested in his pontifical habit, with his pall, and his mitre, and carrying his pastoral staff, and all "his other ornaments of glory."† His vestments were said to have twinkled with star-like gems, and his mitre sparkled with light from every precious stone—the soft green rays of the emerald, the fire of the burning ruby, the blue beams of the sapphire, and the golden twinklings of the yellow topaz.

As the procession of the archbishop began to move, the precentor intoned the anthem, which the choir continued to sing, until the primate stood before the marble chair, his face turned to the east. The Kyrie Eleyson and the Lord's Prayer having been said, the prior chanted a collect. Then reverently embracing the archbishop, he enthroned him, by placing him upon the patriarchal throne. The primate being seated, the prior read from a schedule held in his hand, "In the name of God, Amen. By His authority, I, Henry, prior of His church of Canterbury, enthrone thee, Lord Robert, Archbishop in this church of Canterbury. May

* "Hubertus Archiepiscopus dedit mitram in qua sunt c. et dimid. et xxv. lapides pretiosi et iv. esmal."—Regist. Roff. 121. "Mitra aurea, cum perulis infraet extra, et gemmis pretiosis, Henrici Regis III." "Mitra aurea Johannis de Peckham. Mitræ ii. simplices de Bokram." A description of some of the various mitres is given in Dart, Append. xiii.

† The archbishop never carried his cross. The cross-bearer carried it aloft before him in all processions, and, kneeling at his feet, held it up before him, while at pontifical high mass, and other solemn occasions, he had, by the Rubrics, to give his pastoral blessing. At those parts of the Liturgy at which a bishop was required to hold his pastoral staff, the archbishop held the usual pastoral staff in his left hand.—Rock, ii. 225, 231.

CHAP. VII.

Robert Winchelsey. 1294-1313.

thy admission be blessed by the Lord Jesus Christ, and may His blessing abide with thee now and for ever. Amen." * The schedule being read, was duly signed in the presence of a public notary, and directed to be placed among the muniments of the church. While the archbishop was still seated upon his throne, the choir, being arranged on either side, sang the Benedictus; and this part of the ceremonial was concluded by another collect, said by the prior.

At the mass of the Holy Trinity, which followed, the prior introduced another collect suitable to the occasion; and when the Gloria in Excelsis was sung, the archbishop, rising from his throne, and facing the

* Henry de Eastry, or Eastria, was prior of Christ Church, Canterbury, from the year 1285 to 1331. In his time, the choir and chapter-house were repaired at a cost of 839*l.* 7*s.* 8*d.* as also the new steeple towards the North—Novum clocarium longum versus North—whatever that was. He built a new grange at Berton, where the monastery had a prison. The church, according to existing documents, had vineyards at Colton, Berton, St. Martin's, Chartham, Brooak, and Hollingburn. Each manor had a domestic chapel built or restored by Henry. Mention is made above of a notary public, and as notaries were scarce and rare, the prior Henry, in 1306, made suit to an imperial Count Palatine, who had the privilege of creating notaries throughout the empire, to authorise him, by letters of deputation, to create three, and his petition was granted. This method of obtaining the appointment of notaries was condemned in the reign of Edward II. "because the kingdom of England is absolutely free from being subject to the emperor;" but the circumstance itself shows how long the connexion between the kingdoms of Europe and the empire existed in the public mind. The prior Henry concurred with Archbishop Winchelsey in his opposition to Edward I. and suffered for it. On the death of Winchelsey, he asserted the rights of the chapter to discharge all the offices pertaining to the jurisdiction of the Archbishops of Canterbury, except those which are essential to the episcopal office, such as ordination, consecration, &c. Wharton, Ang. Sac. I. 141. Somner, 144. Battely, 116.

East, intoned it. He also intoned the Creed, and the Pax vobiscum.

He descended from the marble chair, to receive the Holy Communion, which was administered to him by the precentor, and did not return to it that day. Having granted indulgences to the people, he went in procession back to the vestry, and putting off his pontificals, he then retired to his private chamber to prepare for the feast. Thence he appeared soon afterwards; and, *vestibus festivalibus*, he proceeded to the hall.

Those who remember the ceremonies which took place at the feast in Westminster Hall, at the coronation of George IV. can form some idea of the proceedings in the great hall at Canterbury, which had been enlarged, if not rebuilt, by Stephen Langton, and completed and adorned by Archbishop Boniface. Attended by the king and his royal family, who only dined at his table, the archbishop sat in the centre of the table raised upon the daïs. The hall-door opened. The trumpets sounded. The lord steward, bareheaded, but on horseback, appeared in his scarlet robe, and with the white staff, the emblem of his office, in his hand. Two heralds followed, preceding the chief sewer; and the first course was laid, consisting of fourteen dishes, besides the subtilties. While the dishes were being placed upon the table, the Earl of Gloucester, dismounting, made his reverence to the archbishop and to the king, and saw that all things were done according to order. Then, remounting his horse, he backed out of the hall, and retiring to his own apartments, was waited upon by his own people, with almost as much of ceremony.

It was a glorious sight, morally viewed, to see the son of a poor man thus consorting with princes, and waited upon by the first lords of the land; and in

CHAP. VII.

Robert Winchelsey. 1294-1313.

those days of grinding oppression, it was one of the consolations of the people, that the son of a serf might become one of the magnates of the nation—all that was required being industry, and that concurrence of circumstances which infidels unphilosophically attribute to chance, and believers, in their wisdom, to the providence of God.*

While Winchelsey sat alone in his glory, he looked down on his guests, where his presence, and that of royalty itself, imposed no restraint on the hilarity of all whose privilege it was to enter the hall; and these only formed a small portion of the hundreds who were making merry at the archbishop's expense. This we shall readily believe, when we read the following authentic account of the "Provisions and purchases made for the enthronization of Archbishop Robert, in the year 1295," of which I give a translation, the accounts having been kept in Latin.

Of corn, 54 quarters, price per quarter, 5*s.* 8*d.* .	15*l.*	6*s.*†	
Of simnel flour, pure, and for making wafers . .		20*s.*	
Of red wine, 6 casks, price per cask 4*l.*	24*l.*		
Of claret wine 4 casks, price per cask 73*s.* 4*d.* ..	14*l.*	13*s.*	4*d.*
Of white wine, choice, one cask	3*l.*	6*s.*	8*d.*
Of white wine, for cooking, one cask	3*l.*		

* In our time, we have twice seen the primacy of the North filled by the sons of humble tradesmen. It is intelligible, if proud aristocrats begrudge the elevation of men of humble birth to the highest places in the peerage; but why those who are lowly born should desire the abolition of an institution by which they may rise to the first places in the country, it is difficult to understand. Take Church lands from the Church, and you give to one lordly family what might have been the property, for life, of the man who is now a day-labourer on the estate.

† Hallam considers twenty-five times the price named to represent the present value. Others say fifteen, or twenty.

Of Malmsey, 1 butt	4*l.*		
Of Ossey, 1 pipe	3*l.*		
Of wine de Reane, 2 almes		26*s.*	8*d.*
Of beer of London, 4 casks	6*l.*		
Of beer of Canterbury, 6 casks, price per cask, 25*s.*	7*l.*	10*s.*	
Of English beer (*bere*), 20 casks, price per cask, 23*s.* 4*d.*	23*l.*	6*s.*	8*d.*
Of spices* in gross, with le Sokettes	33*l.*		
Of wrought wax and divers lights, 300, the 100 46*s.* 8*d.*	7*l.*		
Of white candles, 54 dozen, the dozen 15*d.*	4*l.*		
Of linen cloths and canvas, 600 ells, the ell 5*d.*	14*l.*	10*s.*	
Of lynge, 300, price 100, 3*l.*	9*l.*		
Of coddes, 600, the 100 26*s.* 8*d.*	8*l.*		
Of salmon salted, 7 barrels, the barrel 28*s.*	9*l.*	16*s.*	
Of salmon fresh, 40, per head 7*s.*	14*l.*		
Of herrings white, 14 barrels, the barrel 8*s.*	5*l.*	12*s.*	
Of herrings red, 20 casks, the cask 4*s.* 8*d.*	4*l.*	13*s.*	4*d.*
Of sturgeon salted, 5 barrels, the barrel 30*s.*	7*l.*	10*s.*	
Of eels salted, 2 barrels, the barrel 46*s.* 8*d.*	4*l.*	13*s.*	4*d.*
Of eels fresh, 600, price per 100, 40*s.*	12*l.*		
Of welkes, 8,000, price per 1,000, 5*s.*		40*s.*	
Of pykes, 500, the 100 5*l.*	25*l.*		
Of tenches, 400, price per hundred, 3*l.* 6*s.* 8*d.*	13*l.*	6*s.*	8*d.*
Of carpes, 100, per head 16*d.*	6*l.*	13*s.*	4*d.*
Of breames, 800, price per 100, 40*s.*	16*l.*		
Of lampreys, salted, 2 barrels, the barrel 20*s.*		40*s.*	
Of lampreys, fresh, 80, price per head 22*d.*	7*l.*	6*s.*	8*d.*
Of lamprons, fresh, 1,400, price in gross		52*s.*	
Of congre salted, 124, price per head, 3*s.*	18*l.*	12*s.*	
Of roches large, 200, price per 100, 3*s.* 4*d.*		6*s.*	8*d.*
Of seales and porposs, price in gross		26*s.*	8*d.*
Of pophyns, 6 dozen, the dozen 4*s.*		24*s.*	
Of sea fish, 24 seames, the seame 11*s.* 4*d.*	13*l.*	12*s.*	
Of white salt and gross, 3 quarters, the quarter 10*s.*		30*s.*	
Of rape oil, 2 barrels, the barrel 36*s.* 8*d.*	3*l.*	13*s.*	4*d.*

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* Spicies, "Quidquid diebus jejuniorum vespere apponitur, ut bellaria, fructus, cichoreum aceto et oleo conditum."—Ducange, *sub voc.* I do not know whether, in every particular, my translations are correct, but I believe them to be so.

CHAP. VII. Robert Winchelsey. 1294-1313.

Of oil, olive, 5 flasks, price per flask 2*s.*		10*s.*	
Of honey, 1 barrel . . . . . price		44*s.*	
Of mustard, in gross		13*s.*	4*d.*
Of sour wine, 1 hogshead		8*s.*	
Of verjuice, 1 pipe		16*s.*	
Of charcoal, 200 quarters . . . . . price	5*l.*		
Of talshide and fagot, 2 thousand . . . . price		53*s.*	4*d.*
Of hiring 500 garnishes, vas. electr. taking for the garnish 10*d.*	20*l.*	16*s.*	8*d.*
Of wooden vessels, 60 dozen, price per dozen 8*d.* .		40*s.*	
Of wooden cups, white, 3 thousand . . . price	3*l.*		
Of earthen pots, 62 dozen . . . . . price	3*l.*	2*s.*	
For the carriage of stores by land and water . .	42*l.*		
For the wages of cooks at London, and others . .	23*l.*	6*s.*	8*d.*
In regard of the heralds of arms, the trumpets, and of other entertainers	20*l.*		
For the painting of the throne, and the making of subtilties in sugar and wax	16*l.*		
For necessary expenses, and gifts to divers persons coming	10*l.*		
Sum . . .	513*l.*	3*s.*	

"This was in addition to the composition with the earl for his fees, and expenses attending his servants, and besides his diet for three days in the archiepiscopal manors, and besides the hiring of beds, &c. Besides those things which were sent from London, and the hiring of various cooking utensils in addition to our own, and the making good of plate, that is, four garnishes, two dozen and seven pieces lost, and twenty-eight pieces, northen russetes, and many other provisions, &c."

In almsgiving, not less than in hospitality, did Winchelsey excel. Two thousand loaves were distributed at his palace gate on every Sunday and Thursday throughout the year when bread was cheap, two thousand when bread was dear. From the table of his household, fragments were daily distributed to the poor; and on the great festivals, money was given to

one hundred and fifty needy persons. The fragments must have been worth having, for on all great occasions there was profusion in the palace. We read not of joints, but only of quarters and carcases, and we might produce a Christmas bill of fare almost as surprising as that which has just been presented to the reader. To the infirm, alms were sent by the chaplain.

Winchelsey's hospitality was taxed, and his dignity offended, by the arrival, in the following year, of two cardinals on a political mission in England. Boniface had succeeded, we might rather say had deposed, the meek and pious Celestine in the papacy; and his policy was to effect a cessation of war. To persuade Edward, and to remove all difficulties to a termination of war, which might be presented by existing obligations and treaties, he sent two cardinals, legates *à latere* to England. Berard, Cardinal Bishop of Albano, and Simon, Cardinal Bishop of Palestrina, landed at Dover in June, 1296, with full power to absolve the king from all oaths, and to excommunicate all persons who stood opposed to the projected pacification. The primate met them at Harbledown, and offered them his manor house at Ospringe for a temporary residence, that they might refresh themselves before prosecuting their journey to London. The archbishop, of course, met them with his cross erect; but his right to do this in their presence they disputed. The primate, indignant, with his cross still erect, instead of remaining with the legates at Ospringe, departed to one of his other manors. The next day, however, he met them, and accompanied them as far as Newington; but he met them only as a private person—his cross was not carried at all. This insolence towards the primate, though in accordance with papal law and precedent, together with the general bearing of the legates, must have conduced

CHAP. VII.

Robert Winchelsey. 1294-1313.

towards the utter rejection of their proposals to the king. Edward not only declined to make peace until he had communicated with the king of the Romans; but he refused their proposal of a truce, and would not, in spite of their remonstrances, delay for a single moment, the sailing of the fleet.*

A further demand was made upon the hospitality of the primate in 1299, when King Edward again visited Canterbury. He came there to await the arrival of Margaret, daughter of Philip III. king of France. She landed at Dover, on the 8th of September, and was united in marriage with the king by the archbishop on the 10th. Of this ceremonial, no details have been preserved, either at Canterbury or at Lambeth. We only learn that the ceremony was performed at the door of the church, towards the cloister, near the door of the martyrdom of St. Thomas. A dispute afterwards arose between various parties; the archbishop, the prior, the king's chaplain, and others, each claiming "pro ratione," of a certain pannus used on the occasion.† It is probable that Edward, who was still a mourner for the death of the noble-minded Eleanor, and who found in Margaret a wife equally devoted to him, with her consent avoided any grand display on this occasion; and that for the same reason, she either was not crowned, or if it were necessary for her to receive the unction, this, which was the religious part of the ceremony, was done privately. It is not likely that, as some have thought, she was crowned at the time of her marriage, as such a circumstance would

* For an account of the cardinals, see Knyghton, col. 2505.

† The record is preserved in the Treasury of the cathedral, R. 17, 29. I am indebted to the Hon. D. Finch, and to the Rev. Robert Hake, for their kindness in searching the Register for me.

have been noted, as a thing out of the usual course, in some of the documents of the cathedral.

Of all the Primates of All England, none was ever so unpopular as Archbishop Robert. He was a man so self-willed, so haughty to all who approached him, that even his hospitality did not endear him to his superiors and equals, or his charities to those who were his inferiors. He placed himself in opposition to the constitution of his country, just when the nation was rising to national independence. In resisting even the unjust acts of Edward, he offended the opposition as much as he offended the king himself. He was so unscrupulous in the means he adopted and the measures he proposed, that he at length involved himself in the guilt of high treason.

But before we proceed to this subject, we may mention that he held a provincial visitation in 1299 ; and of the manner in which the primate was, at that time, received in the various dioceses he visited, I can give an account in the following extract, which is translated from papers in my possession, relating to the cathedral of Chichester :—

"Memorandum, that on December 12, A.D. 1299, the venerable father, Robert, Archbishop of Canterbury, came to the city of Chichester, to exercise the office of visitation. The dean and canons, who were present on horseback, first met him without the city, and after saluting him, returning quickly to the church, with the bishop of the place and the whole choir, viz. with the bishop arrayed in pontificals, and the dean and chapter, with the choir, and all others in their accustomed habit, besides the priests, deacon, and sub-deacon, bearing two books of the Gospels, and one clerk bearing the cross, another with the holy water, and two with thuribles, as well as two others with wax candles, who were arrayed in a processional manner. All these being arranged processionally at the eastern gate of the cemetery, received the lord arch-

CHAP. VII.

Robert Winchelsey. 1294-1313.

bishop. And the bishop and dean, having taken the thuribles, incensed him. They then held out the two books of the Gospels to him to kiss, and after receiving the holy water from his hand, led him into the church, the procession preceding, chanting. On arriving before the high altar, they prostrated themselves some time in prayer. The bishop then made a certain speech over him. Afterwards he stood up, and having kissed the great altar, turned himself to the people, to bestow on them his benediction. He next entered the chapter, seated himself, and having proposed a text, set forth the word of God. The text was this : 'Thou art sent to visit Judæa and Jerusalem,' Esdras vii. His sermon being ended, all others being excluded from the chapter, except the clerks of his household, and the bishop, dean, canons, and vicars, he ordered to be read the certificate under mandate of visitation ; then he caused to be recited a certain constitution of Boniface VIII. which commences, 'Quia plerique,' &c. in Tit. de Off. Ordinar. lib. vi. This being read through, he caused to be read a certain schedule containing . . . . by which he admonished all and singular concerning such faults as they might have known in persons and offices, that they should disclose the truth, pure and simple, in all things whatsoever relating to the Church, under pain of excommunication, which he promulgated in writing. Then he retired with the bishop alone into the treasury, and examined him singly and secretly on many and various articles." *

Such a man as Winchelsey was not likely to understand, or properly to appreciate, the character of Edward I. Without any wish to extenuate the faults of this great sovereign, we must remember his many and great virtues, when we have to narrate his treatment of Archbishop Robert. It is impossible to read the documentary history of the period, without acquitting the king of many of the charges, which, first brought against him by Hume, have been stereotyped,

* This has been translated from our own MSS. which are a transcript of the original in University College, Oxford.

as it were, for the use of all subsequent writers.* Although Edward was indebted, for the patriotic measures of the earlier part of his career as a king, to the advice and labours of Bishop Burnell, one of the greatest statesmen this country ever produced, yet he is a wise prince who makes choice of a wise counsellor. The wisdom of Burnell is apparent in that most important document, which may well be called a code, "The Statute of Westminster the First." With its provisions we are only so far concerned as they relate to ecclesiastical affairs; and we cannot but admire the skill, with which the episcopal chancellor mediated between Church and State. The property of the Church had been continually exposed to spoliation, from the king and nobles of the land, because, as the threat of excommunication lost its terrors, the law of the land offered scarcely any protection. Bishop Burnell proposed, and the bishops, being most of them lawyers or statesmen, gladly entered into the arrangement, that the law should be rendered more stringent for their protection, on condition that ecclesiastics should, themselves, henceforth, become amenable to the statute and common law of England.

* That the massacre of the bards is pure fiction is now admitted by all who have examined the subject. There are some who are found to question the right of Wallace to be classed with the heroes of the age. These are subjects discussed in an historical sketch, "The Greatest of the Plantagenets," where everything that can be advanced in favour of Edward I. is powerfully stated. It is the work, evidently, of a lawyer, who has taken a brief for King Edward. I differ widely from some of the author's conclusions, but his argument is always worthy of attention. It is to be hoped, that some other lawyer may be found to take a brief for the Earls of Hereford and Norfolk. If this plan were adopted with respect to the many obscure portions of the mediæval history, the philosophical historian would be able to sum up as a judge, and his judgment would be of importance.

CHAP. VII.

Robert Winchelsey. 1294-1313.

At the same time that we accord the highest praise to Edward for his patriotism, and for the wisdom of his legislation—while to him we are indebted for having frankly received the Constitution as it had been left by Simon de Montfort, with a House of Commons, the powers of which were gradually developed throughout his reign—yet we must admit, that he did not adhere consistently to the principles of popular government, which in theory he admitted. His principle was, as he asserted, that "what concerns all should be by all approved; and that common dangers should be met by remedies provided in common." But what if, when the danger was common, Parliament could not, or would not, provide the remedy? He then felt justified in falling back on his prerogative. His feeling was very much that of a German potentate in the present day, when he has granted to his people a constitution. "You shall direct all things," they would seem to say, "so long as your opinion as to the public good accords with mine; but if we differ, then you are to yield." He had no private ends to serve; he had no foreigners to support; but it was, he thought, for him, as ruler of the country, to decide on its foreign policy, and for Parliament to assist him. When Parliament refused to assist him, he had recourse to those unconstitutional acts, under the presumption that he was only duly exercising the prerogative, which had nearly cost his father his throne.

These acts occurred soon after the death of Bishop Burnell, which was nearly contemporaneous with the election of Winchelsey; and by these acts he provoked the opposition of those great earls, Humphry Bohun, Earl of Hereford, and Roger Bigod, Earl of Norfolk—the first holding the office of High Constable, the second being Earl Marshal of England.

Our admiration for the character of Edward, must not blind us to the merits of these patriotic opposition lords, or prevent us from acknowledging the debt of gratitude which is due to them for fighting the battle of the constitution, at a time when, except for them, it might have been strangled at its birth. The question really related to the extent of the prerogative, though feelings of a personal nature may have been mixed up in the controversy. Although the provisions of Oxford had been annulled by the Edict of Kenilworth, they had made such an impression on the public mind, as secured for the earls a strong party of supporters; and the vigour and determination displayed by these men, made parliamentary government a reality, and not a sham. At the same time, Edward had not forgotten the fields of Lewes and Evesham, and one of his evident, if not avowed, objects, was, by encouraging the power of the people, to humble the barons. Both parties succeeded; parliamentary predominance was established as the rule of the constitution in 1305; and yet, in the end, by his triumphs over the earls, Edward established the regal, as superior to the baronial power. The great gainers were the people.

With the Earls of Hereford and Norfolk, Winchelsey was associated, although they had little in common. In the patriotic views of the earls he could not sympathize, for he had only the one object, of introducing a novel assumption of papal power, which would have rendered the country a mere province of Rome. As little could he sympathize with them in their desire to maintain the baronial rights for which they incidentally contended, while attempting to restrict the prerogative. They were only united by their hostility to the king. Even in this respect they differed, for, although the earls did not betray the archbishop, when he proposed

CHAP. VII.

Robert Winchelsey. 1294-1313.

to dethrone the great king, and replace him by a boy, who would be a puppet in their hands, they were not themselves guilty of his treason. It was an impracticable, as well as a wicked suggestion; and in that, as in other respects, they must have become fully sensible of Winchelsey's incapacity as a politician. But still his high position in Church and State rendered him a convenient tool in their hands; and they used him as such, while he, in appearance, seemed to be one of the leaders of the party, and a person to whose judgment they deferred.

Edward, in 1296, had accomplished the great object of his life. He was now, though it was only for a short time, the undisputed sovereign of the whole island. Although he was approaching the age of threescore years, yet his successes seem to have had no undue influence on his mind. He was determined to prosecute, with vigour, the war with France. The very nationality which, in his grandson's reign, was to make a war with France popular, operated now in the opposite direction. The thinking men of the day had arrived at the conclusion, which Edward had himself enforced, that our strength lay in our insulating ourselves from the Continent. To make England one, had been the policy which rendered the wars with Wales and Scotland necessary. The nobles in opposition, not unwilling, perhaps, to humble the king, used Edward's policy against himself. The foreign provinces of Edward pertained not to the nation, but to the king only; and why should an independent nation expend blood and money, to uphold the cause of Edward, in the character of a rebel vassal of the French crown? The earls distinguished between the Duke of Aquitaine and the King of England; and it was as unreasonable to expect the nation to go to war for the sustentation

of Edward's rights in Gascony, as it would have been, at a later period of our history, to have gone into war to further the continental policy of the first Kings of the House of Brunswick, because the same personages happened to be Electors of Hanover as well as Kings of England.

On the other hand, it was scarcely possible for Edward to avoid a war with France; and in the plan of it he acted with his usual ability and political foresight. He perceived, that the best method to be adopted for compelling Philip to relinquish his hold on the Gascon province, was to attack France on the northern frontier, whither he could, with most ease and least expense, export his troops. To obtain allies, he had subsidized the Counts of Flanders, Holland, and Luxembourg, and the Duke of Austria. All this was wisely done; but then, if the Duke of Aquitaine was fighting for Gascony, the Gascons ought to pay.

The embarrassments of Edward were now very great, and from the unwillingness of Parliament to make sufficient grants, and from the length of time it took to collect the insufficient subsidies, when granted, the king fell back upon his prerogative, and made himself as oppressive to his subjects as his father had been; and all, it was said, for a foreign object. Provoked by opposition, he levied tallages, he exacted aids, and imposed duties without the consent of Parliament. He seized on such kinds of merchandise as were suitable for exportation, and sold them in Flanders, promising payment at a future period; he laid new and heavy imposts upon wool; he appropriated the money collected for the crusades. He was accused of having imprisoned freemen for the mere purpose of extorting ransoms from them; and of having attempted to compel all persons who held 20*l.* a-year in land, whether

CHAP. VII.

Robert Winchelsey. 1294-1313.

holding of the king in chief, or others, to go with him to Flanders. But it does not fall within my province to describe all the illegal and unconstitutional acts of the king, from the time of his return to Scotland, until his necessities compelled him, in the twenty-fifth year of his reign, to make the concessions, for which, without recourse to arms, constitutionally and in Parliament, the patriotic earls contended. It is a period of Edward's history which redounds least to his credit, and is only to be accounted for by the extreme pressure of his necessities. At the same time, two things are to be observed. First of all, he was supported always by a large minority, sometimes becoming a majority, both in Parliament and in Convocation; and, secondly, he showed, on more occasions than one, certain feelings of remorse. He evidently regarded himself as an ill-used man. He had served his country well and faithfully; and the country deserted him in his greatest need. He who had gladly given power to the people, regretted that he was obliged to fall back upon the evil practices of his ancestors; but he did so.

We have been led into these observations, because his first attack was upon the property of the Church; which attack induced Winchelsey, and the Earls of Hereford and Norfolk, to make common cause.

Before Winchelsey had returned to England, Edward had made an unconstitutional attack upon the property of the Church. The clergy had never refused to tax themselves, when money was required for the defence of the country, or the other exigencies of the Government. But they had exercised the right of self-taxation, even before that right was recognised in Parliament. The king, however, in 1294, instead of asking the clergy, as usual, for a subsidy, demanded it; instead of leaving the clergy to decide on the amount, he

commanded them to concede to him a moiety of all ecclesiastical property. Although the clergy resented this as an unprecedented proceeding, yet they yielded to the demand; that is to say, the king had a majority in the Convocation, and his judges had not scrupled to declare, that it was for the common good, that the king should be considered as above all the laws and customs of the kingdom.

It is so difficult to understand why Edward should have acted thus towards the clergy—why, with so many of the clergy serving in his council, and holding high offices in the State, they should have sanctioned, if they did not advise, the proceeding—that we cannot but suppose that Edward had received some intimation from Rome, that a measure was then plotting against the independent churches and kingdoms of Europe; which measure soon after developed into the bull *Clericis Laicos*. That bull emanated from the fanaticism, rather than the usual worldly wisdom, of Boniface VIII. It asserted, that, as spiritual suzerain, the pope claimed authority over all the property of the Church, in every part of the Christian world. This, it was said, involved the exclusive right of taxing the clergy; and the clergy were prohibited from taxing themselves, or employing the property of the Church, for secular purposes and the exigencies of the State, unless the authority of the pope, for such taxation, had been first obtained.

It is very clear, that the subject had been mooted at Rome, and that it was expected that legislation, to this effect, would soon take place. All parties, therefore, had agreed—the clerical co-operating with the lay advisers of the king—that the king should anticipate any such measure, by making a demand, in his own name, and by his own authority, upon the property

CHAP. VII.

Robert Winchelsey. 1294-1313.

of the Church, so as to establish a prior claim, before the foreign usurper made his aggression.

The king asserted his right; the clergy acquiesced; for this was before the king had resorted to unconstitutional measures of attack upon the lay property of the country; and if the king had remained contented with what he had now obtained, all would have been well. But, in November, 1295, the king again demanded a subsidy, and again his demand was met. An eleventh was granted to him from those who had already paid a tenth, the year before; and a seventh from those who, in the preceding year, had paid a sixth. The clergy agreed unanimously to offer the king a tenth of all ecclesiastical property, and, considering what they had already done, they thought the offer liberal. The king demanded a fifth, and this demand was refused. The king gave way, with his usual good sense, and the clergy separated in high good humour.*

The demand for a fifth was renewed by the king in 1296, when the Parliament assembled at Bury St. Edmund's. The archbishop summoned a Convocation to consider the demand; and it may be here remarked, that in this, and in the following council, the Convocation was divided, as it were, into four houses. The bishops sat by themselves; so did the cathedral deans and the archdeacons; the abbots, priors, and representatives of the monasteries; and also the proctors of the clergy. The representative system was now fully established; and although the name of Convocation was certainly in use as early as the time of Boniface, it was now first that the word was employed exclusively to elective assemblies of the clergy. To the Convocation

* Mat. West. ad ann. 1295.

the archbishop submitted four points for consideration: whether it were true, as it had been affirmed, that a subsidy had been already promised; whether, if the promise were made, it was still binding after the publication of the bull *Clericis Laicos*, prohibiting the clergy from making grants to laymen, without the consent first obtained of the Roman Curia,* though the bull had not arrived in England; whether, supposing the bull to be obligatory, the peril of the country, owing to the war with France, would not justify a violation of it; whether the resources of the Church had not been exhausted by the various exactions which had been lately made upon it.

The tendency and object of Winchelsey was sufficiently apparent. Against the principle of the bull *Clericis Laicos*, a tacit sentence had been already pronounced, in the concession made to the royal demands. Winchelsey, thoroughly engaged on the papal side, desired, in the same quiet manner, to supersede the former decision. He could not venture, as yet, to act upon the bull. As it had not been promulgated in England, he was not obliged to do so. But he determined to feel his way. He threw down the apple of discord. All the immense influence of his high station was exerted to prepare the way for the papal usurpation. He adroitly appealed to the cupidity of the Convocation, already severely and unwisely taxed by the king. But, with all his influence, he could not, as yet, carry his point. Day after day the discussion lasted. The party for the independence of the Church of England combined with the lawyers and statesmen—many of them bishops—who stood

* The bull had been issued in the preceding March. Cotton, 315.

CHAP. VII.

Robert Winchelsey. 1294-1313.

firm to the king. At last, the archbishop, failing in his attempts to overcome the Convocation, consented to its adjournment.

To the adjournment, the king offered no objection, but he guarded against the abstraction of grain, and the consequent plea of poverty, when the Convocation should be resumed; by having the royal seal affixed to the barns of all the ecclesiastical magnates.

The Convocation resumed its sittings at St. Paul's, in the following January. Winchelsey was now prepared for open war. He produced the bull *Clericis Laicos*, which, under pain of excommunication, forbade the clergy to pay, or grant, any tax, or imposition, on the revenues of their churches or on their goods, to laymen, under the name of aid, assistance, boon, gift, or otherwise, without the authority of the see of Rome.* The clergy were, if not taken by surprise, at least confounded into silence. Before a party has been formed, and before persons, hostile to a measure, have conferred together, it is always difficult to know how to act. Nobody knows how far he will be supported; and, in this instance, the difficulty of acting without consultation was increased, because the power of the primate, enforced by that of the pope, was, as all power then was, a power closely allied to despotism. If the clergy were excommunicated, they could not officiate; if they could not officiate, the country would be virtually under an interdict. If some resisted the archbishop, and some obeyed, those who obeyed might supersede the disobedient, and the hostile clergyman of one parish might triumph over his rival in another.

* Fœdera, i. 836. Compare Cotton and the Dunstable Chronicle. Some modern writers, following Knyghton, 2489, have asserted that the bull was issued at the instance of Winchelsey. But the date of the bull is antecedent to this controversy.

There were no means of escaping the penalty, for the greater could always excommunicate the inferior.

The clergy were, for these reasons, awed into silence. There was no longer, as before, a discussion. Many were prepared to resist the primate and the pope, but who was first to move? and what was he to advise?

It was announced, that the royal commissioners were at the door, and desired, in the king's name, to know what was the decision of the Convocation. They were admitted, and the archbishop, with singular indiscretion, betraying the evils which must ensue from a divided allegiance, without consulting his suffragans, addressed them in the style of language very common at Rome. He informed them, that there were appointed, by God's providence, two lords to rule over man, one spiritual, and the other temporal; that obedience is due to both, but that obedience is due, when the two duties clash, to the spiritual, rather than to the temporal authority. Answering in the name of all—though he had not been commissioned so to do—he stated the substance of the bull, and desired the commissioners to inform the king, that they were prepared to do all they could; which was to send deputies, at their own expense, to obtain permission from the pontiff to make a grant to the king. There was something indescribably mean in his conclusion: "We entreat you to bear this reply unto the king, for we dare not speak to him ourselves." He would fain have been a St. Robert of Canterbury, but his nature qualified him neither for a hero, nor for a martyr.

The king's course was decided, dignified, and just. The dogma of the archbishop was met by the judgment of the chief justice of the King's Bench. From the bench itself was the judgment given, without any pomp or parade, but in an ordinary business-like

CHAP. VII.

Robert Winchelsey. 1294-1313.

manner. On taking his seat, the chief justice simply stated a regulation of the court. He gave notice to the proctors and attorneys of the clergy of every degree, that they could not be heard in the King's Court, in their defence, but that "justice would be done against them by any one who might complain and demand it."

The words were few, but they were just. It was a sentence of outlawry. The clergy were, without discussion or debate, practically reminded of the mutuality of the obligations incurred by a ruler and his subjects. If the clergy refused to contribute towards the support of the Government, the Government was no longer bound to extend protection to the persons and property of the clergy.

The words, I repeat, were few, but the consequences were tremendous. The king, of course, knew who his supporters were, and they were safe. There was scarcely any one who sided with the archbishop, but there were a vast number who were prepared to acquiesce, through carelessness and lukewarmness, in what he laid down as the law. They had no idea of what they were doing; and they were to be brought to their senses, as they soon were. They turned their faces homeward, and were immediately waylaid by robbers, against whom there was no redress. They had mounted their horses, but the first strong man who met them, commanded them to dismount, and to proceed on foot; if they resisted, they were seized as persons causing disturbances on the king's highway. The beggar, instead of asking alms, made them exchange their good broadcloth for his filthy rags. Some, by forming themselves into a large company, reached home in security, but only to find their houses ransacked, and insolent ruffians adding insult to injury,

while carrying away their movables. All lay fees, goods, and chattels, were confiscated for the benefit of the Crown. The property of Archbishop Winchelsey, real and personal, was seized for the king's use; not even a saddle-horse was left in his stable.*

The clergy were now quite prepared to listen to reason, and to side with the king against the primate. The Archbishop of York, and several of the other bishops, had already paid their fifth, and, backed by the great body of the clergy, they persuaded Winchelsey to convene another synod.

The conduct of the archbishop was dignified, and worthy of all praise. He had done what he thought right, though we think, as many of his contemporaries thought, that he did wrong. He was not one of those who shrink from the penalty to be paid for adhering to the dictates of conscience. He thought it his duty to defy the king, and bore the consequences of his conduct as became a man and a Christian. Yielding to the emergency, he retired with a single chaplain from his palace, to a parsonage in the country, and there, subsisting on the alms of the parishioners, he performed the duty of a parish priest. His property remained under sequestration, the proceeds being paid into the royal treasury for twenty-one weeks and five days.

The archbishop at length acceded to the request which was made to him, and not only agreed to the convention of a synod, to meet on the 26th of March, but consented, in the interval, to seek an interview

* Mat. West. ad ann. 1296. Annal. Dunst. ii. 651. Chron. Lanercost. says :—"Auctoritate principis confiscata sunt quæcunque erat Episcopi Cantuariensis peculiaria vel granaria, etiam palafridi qui erant pro sella primatis quæ omnia patienter amplexatus est vis virtutis."

CHAP. VII.

Robert Winchelsey. 1294-1313.

with the king, to ascertain from him whether any compromise could be effected.

The king granted the primate a hearing at Salisbury on the 7th of March. He could not, consistently, find fault with Winchelsey, for bringing into play against him the authority of the pope, for he was, himself, preparing to bring, and afterwards did bring, the authority of the pope to bear against the archbishop. He had already employed the papal authority to enforce the payment of the tenths for the Holy War. He afterwards applied to the pope to absolve him from an oath which it was inconvenient or inexpedient to keep. In short, Edward's ecclesiastical policy was inconsistent, and based upon no fixed principle. He felt that there was something wrong in the relation of the Church of England with the see of Rome, but in what the evil consisted, or where to look for a remedy, was more than he could discover or decide.

Nevertheless, a mind so powerful as Edward's could not fail to leave its impress upon the Church as well as upon the State. The Mortmain Act was a restraint upon monastic cupidity. By the Statute of Westminster the First, he had rendered delinquent clerks amenable to the law of the land. By the statute *Circumspecte Agatis,* he distinguished the jurisdictions, and ascertained the boundaries, of the temporal and the spiritual courts. He exercised authority over alien priories, and prohibited the export of rents to foreign abbeys. These were great and laudable measures of reform. But how to deal with the papacy baffled his genius ; and so long as the authenticity of the pseudo-Isidorian Decretals, as Gieseler calls them, remained unimpeached, an open attack upon the papal authority, in all its branches, was a thing impossible. He could only accept the papacy as a fact, and take

measures, as we have seen, not indeed for its abolition, but to restrain, overrule, and render it subservient to his own purposes. He had, by his wonderful sagacity, at once seen how this new attack of the pope upon the property of the Church of England was to be met. He applied his principle, that common dangers must be met by remedies provided in common; and if any class of men shrank from bearing their share in the common burden, from them the protection of the law should be withdrawn. He heard Winchelsey with patience, when he represented the hardships to which the clergy had been exposed; and then replied, if the pope himself had temporal possessions in England, he should feel himself warranted by law to take them for the defence of the realm and the Church. He added that it was useless to remonstrate, for that this was a cause for which he would dare to die, since he felt that he was not violating the law, when obeying a dire necessity.

The king offered to restore the clergy to his favour, but required that they should pay a fine, for the insult offered, at the last council, to the royal authority.

The synod met on the day proposed. The situation of the archbishop was any thing but pleasant. The clergy assembled with angry looks, suffering from the difficulties in which they had been involved by the primate. The king's party, both ecclesiastics and civilians, were doubtful as to the course which the archbishop would pursue. It was considered expedient, that the message should be sent, which it was usual to send when doubts existed as to the loyalty of a synod, to warn the clergy against adopting any measures hostile to the prerogatives of the Crown; and, as if to designate the person, to whom the warning especially pointed, the king prohibited any sentence of

CHAP. VII.

Robert Winchelsey. 1294-1313.

excommunication from being pronounced upon those of the clergy who had already sent in their adhesion to the king.

So anxious was Edward, nevertheless, while carrying his point, to stand well with the clergy, that he employed counsel to plead his cause before the synod; and, what is more remarkable, two of the order of preaching friars produced powerful arguments to show, that the clergy might be legally compelled to contribute from their property for the service of the king, any prohibition from the Court of Rome notwithstanding.

When friars ventured to take this part, it may be easily surmised what the sense of the country upon the subject really was. The clergy had, on the late occasion, been taken by surprise, and they were easily persuaded to retrace their steps. In vain did the archbishop argue, entreat, and threaten. He was in a minority of two, the Bishop of Lincoln being his only supporter. The victory was complete. The archbishop reminded the synod that they would incur the penalty of excommunication. He was unheeded. He announced his defeat by exclaiming, "Sauve qui peut."

He would not himself retract. But the clergy understood that they might use their own discretion. The straightforward met the royal demand openly. Others, fearing to incur the penalties of excommunition, laid out the money, and permitted the king's collectors to take what it went against their consciences to pay. Others, again, handed over the sum demanded, under the plea that the money was given to purchase protection. The king cared little what were the excuses made by timid spirits to conciliate the primate;—he had the money.

Then began that career of oppression on the part of Edward, to which allusion has been already made.

The principle which he applied to the Church, was that on which he was prepared to act in State affairs. When the people refused what the necessities of the country required, then the king, by his prerogative, might take what his subjects declined to give. This, which is the tyrant's plea of necessity, provoked the opposition of the Earls of Hereford and Norfolk; and Winchelsey, already in opposition to the king, threw the whole weight of his influence into their scale. But Edward knew how to distinguish between the primate and the earls. In his secret soul he must have sympathized with the earls. They only acted on a patriotic principle, the soundness of which he admitted; though, unless he yielded his foreign possessions to the enemy, he felt himself under the necessity of violating it. But Winchelsey was thoroughly un-English. He had openly avowed, that his allegiance was divided, and that he preferred the pope to the king. To the last, Winchelsey adhered to the principle of the bull *Clericis Laicos*, and the king was well aware that although the primate could not prevail upon his co-provincial bishops or upon his clergy to co-operate with him, he was quite prepared to act upon it if an opportunity should occur. Edward's treatment of the primate, therefore, differed from his treatment of the earls. The earls occasionally provoked him, and altercations ensued. The primate was always bland, and no personal quarrel between him and the king for some time occurred. But the king was prepared to forgive the earls, and, in course of time, even at some sacrifice, to receive them back into favour. With respect to the archbishop, he only bided his time, watched his opportunity, and at length, in effect, drove him into exile. The patriots he could understand; the unloyal primate he despised.

CHAP. VII.

Robert Winchelsey. 1294-1313.

When it is said, that Edward unwillingly pursued the course, which the exigencies of his position seemed to require, we may, to corroborate the assertion, which is supported by other circumstances, advert to a scene of a very extraordinary character, which, as the primate bore a part in it, falls naturally under our notice. The king was about to sail for Flanders in 1297. He appointed the young prince to be regent, and he nominated Winchelsey as one of his council. In his deliberate actions he did not permit his private feelings to interfere with his sense of duty. To have excluded the primate would have been, considering his position, as the first peer of the realm, to offer him an insult. Their misunderstandings, moreover, were only just commencing. Winchelsey entered his barge at Lambeth, and landed at Westminster. Before the hall an immense multitude had assembled. Westminster Hall, the hall built by Rufus, was larger than the present hall, which was rebuilt or restored by Richard II.* Here, on New Year's Day, 1236, the king's father had entertained six thousand poor persons; but the hall would not contain the thousands who had congregated to bid the king God speed. It was an outdoor meeting. In the front of the hall, where a daïs was erected, with the prince on his right hand, and the primate on his left, surrounded by a splendid court, among whom appeared the Earl of Warwick; the king made his appearance, and addressed his people. He frankly admitted, that he had, through his officers and agents, laid burdens upon his people unlawfully. He affirmed, however, that what he had done, had not been to serve any private ends; that he had consulted only the public good; that he took a portion of the nation's wealth to preserve the whole. "And now,"

* Pennant, 88.

he concluded, "I go, for your sakes about to expose my person to danger and to risk my life. If I live to return, receive me then with that affection, which you evince towards me now. Believe me, I will make full amends for the past." He here paused, overcome by his feelings. Then, pointing to his son, a boy of fourteen years of age, he added, "If I do *not* return,—Oh! then crown my son, that he may be your king."

We can easily imagine what a shout of loyalty followed. When Edward turned to the primate, whose duty it would be to crown the son, he saw him dissolved in tears.

Thus did the king appeal from the barons to his people. And when that important Parliament was held in 1297, after the king's departure, under the superintendence of the young regent, we may feel sure that any reluctance shown by Edward to confirm its proceedings, was the result not of any unwillingness to maintain the rights and liberties of his people; but of a feeling of indignation towards the opposition earls, who, by bringing forward the measure in the king's absence, attempted to throw suspicion upon the sincerity of his promises. Most important was the statute, passed in this Parliament, which is known as the Confirmation of the Charters, and the enactment that no aids should ever be taken without the consent of Parliament. We cannot, indeed, blame the opposition earls for taking advantage of the king's absence and of the weak condition of his government, to lay the foundation of this important principle of liberty. But while we admire their wisdom, their patriotism, their tact and moderation, as heads of an Opposition, we cannot feel surprised to find, that a king, who had proved himself a patriot, should feel himself deeply injured by being treated as his unprincipled father had been treated;

CHAP. VII.

Robert Winchelsey. 1294-1313.

and by having it suggested to the people, that his promises were as nothing, unless he were bound by statute. He never could forgive the archbishop the part which he took in these proceedings.

The conduct of Edward, in his relations with the see of Rome, it is difficult to understand. One thing, however, seems certain. Boniface felt, as a politician, the importance of maintaining a good understanding with Edward; and Edward was equally desirous of remaining on good terms with Boniface. Although Edward had, by the firmness of his conduct, when Winchelsey, under foreign influence, endeavoured to introduce the bull *Clericis Laicos*, defied the pope; yet Boniface dared not to resent the impediment offered by the king, to his assault on the liberties of the Church of England. But we have an instance of the remarkably judicious manner in which the king, while determined to resist the usurpations or unjust demands of the pope, took every precaution not to sacrifice the friendship of Boniface, or the *entente cordiale* between the Courts of England and of Rome. In the event to which we refer, Winchelsey was directly concerned.

In the year 1300, the Scottish chiefs, finding Edward to be irresistible, determined to purchase the alliance of the Pope of Rome. At Rome, they knew, says Walsingham, that everything was saleable.* They purchased the support of Boniface, by offering to make Scotland a fief of Rome. They imitated the conduct of King John. Edward claimed, and I think established his claim, to be the suzerain of Scotland. It was all that at first he desired. He wished to make the island one, in the event of a foreign invasion. His claim was, at first, admitted. The Scotch now waged a deadly war to resist it.

* Walsingham, i. 81.

Resistance was found to be vain. Scotland was obliged to receive a master; and preferred the Roman Pontiff to the King of England. It was the decision of unreasoning passion, not of sound policy which had influenced them. The discovery was now pretended to be made, that, from the earliest times, Scotland had been a fief of Rome. The document announcing the fact is an amusing chapter in the romance of history. No pope would have resisted the offer, or have examined too closely the historical statements, which formed the premisses to a conclusion, which added to the territories or temporalities of the court of Rome. But Boniface VIII., a pope unscrupulous, unprincipled, arrogant, and ambitious, eagerly seized the opportunity to proclaim the newly-discovered fact of the ancient and indisputable claim. He immediately appointed Winchelsey to act as his commissioner, and to warn Edward against continuing a war, conducted against the papal dominion in Scotland.

We possess, in Matthew of Westminster, Winchelsey's own account of the manner, in which the duty thus imposed upon him was discharged.* The journey into Scotland was long and hazardous, and he had to calculate the expense to be incurred, and the means to be adopted to transport his suite, into what was then a distant and a foreign land. It took twenty days to travel from Canterbury to Carlisle. At Carlisle, the archbishop received information, that the king was at Kircudbright, in Galloway; but how to get to Kircudbright was the difficulty and the question. The country was beset by freebooters, who robbed both friend and foe; and high, indeed, would be rated an archbishop's ransom. No one, not even a monk or friar, could be found bold enough to run the risk of passing through

* Mat. West, ad ann. 1301.

CHAP. VII.

Robert Winchelsey. 1294-1313.

these disturbed districts, in order that they might convey a message from the archbishop to the king; until the zeal of two members of the archbishop's household, gave them courage to attempt the hazardous enterprise. They succeeded in reaching the camp, and they conveyed a letter to the king, announcing, that the archbishop was intrusted with a communication of much importance from the pope. They requested to be informed how, when, and where, the primate might have the honour of waiting upon the king. Edward was not inclined to go out of his way to offer protection to Winchelsey; and, if any of his subjects were to fall into the hand of the enemy, the one whose capture he would have least cared to avenge, would have been the archbishop. The king carelessly remarked, that he expected the queen to join him ere long, and advised the archbishop to attach himself to her suite. If he could provide an escort for the queen, he might, of course, with some exertion, have provided, also, a body-guard for Winchelsey. He did not, however, offer the protection, which the archbishop could not demand, and could only indirectly ask.

The position of affairs with the archbishop was anything but pleasant. The Border people had little respect for his office, and it was with great difficulty that provisions could be obtained for his people. Sometimes he had even to secrete himself, to avoid an attack from the rude population hostile to the English. At length, the intelligence reached him, that the army was on its march back to England, and that the king was encamped at Caerlaverock. The archbishop determined to join him here. With great difficulty, and not without danger, he crossed the sands, at ebb tide; and came upon the king, an unexpected, and

not very welcome guest, on the Friday after the feast of St. Bartholomew.

The king was at dinner, when the primate's arrival was announced to him, and he could not be disturbed; but he sent two earls to wait upon the archbishop, and to inform him, that, on the Sabbath, or Saturday, being the day next to his arrival, he should be admitted to an audience.

At noon, the next day, the archbishop approached the royal tent, and was received by the king in state. Edward was surrounded by the earls, the barons, and other knights of his army, and by his side stood Edward of Carnarvon,* whom Winchelsey describes as "that most devout youth," *devotissimo juveni.* The archbishop appeared in great state, attended by his chaplains. He formally presented the letters, which the king directed should be translated and read. They proposed that if the king disputed the statement of the Scots, that the suzerainty over their kingdom pertained to the pope, the king should send ambassadors to argue the subject before the pontiff in Rome. Boniface thus constituted himself judge in his own cause. The archbishop endeavoured to enforce the papal arguments by his own rhetoric, and urged deference to the demands of Boniface, on the ground, that "Jerusalem would not fail to protect her citizens, and to cherish, like Mount Zion, those who trusted in the Lord." Edward† was amused or disgusted with the unreal rhetoric of the archbishop, and curtly silenced him by saying, that neither Mount Zion nor Jerusalem could prevent him from maintaining what all the world knew to

* He was not created Prince of Wales till the year 1301.

† This rebuke of the king was probably felt by Winchelsey, as in his letter to Boniface he omits all notice of it. We are indebted to Walsingham (i. 82) for this addition to the narrative.

CHAP. VII.

Robert Winchelsey. 1294-1313.

be his right. He then desired the archbishop and his suite to withdraw, while he deliberated on the matter with his council. On his re-admission, the archbishop was desired to inform the pope, that it was the custom of the kingdom of England that, on matters of business affecting the realm, the counsel of all, whose interests are concerned in the matter, must be sought; that as the present business, relating to the kingdom of Scotland, nearly affected the constitution and rights of the kingdom of England; and that as many prelates, earls, barons, and other nobles of the kingdom, were not with the army at the present time, it was impossible to give a final answer to the holy father, or to the primate. He promised, however, to summon a council, as soon as it was convenient, and to send an answer by messengers of his own.

Edward had his own reasons for treating, with more civility than it deserved, the message of the pope. Boniface had been accepted as a mediator by the kings of England and France, to negotiate a peace between the two potentates. The peace with France was not concluded, and Gascony was still sequestered in the hands of the pontiff. It was of great importance to Edward to terminate the unpopular continental war, and it would have been an impolitic act to drive the pope into Philip's hands, which might have been the result of a prompt and peremptory rejection of the papal demands. He knew himself to be quite safe in the hands of his Parliament, where Winchelsey was without influence, and could hardly claim the support of a single adherent. The two great earls were at the Parliament which assembled at Lincoln, on the Octave of St. Hilary, 1301, and took part with the king against the primate. It was felt to be an occasion of more than usual importance, and writs were issued to the

two archbishops, to all the bishops, eighteen in number, with the exception of the Bishop of Winchester; to eighty abbots; to the Masters of Sempringham and the Temple; to eighty barons and knights. Writs were also addressed to the sheriffs of twenty-three counties, having forests, the rest without, for the election of two knights for every county, except Chester and Durham, requiring the attendance of all who had appeared, either as knights of the shires, or burgesses of the town in the last Parliament; all to have their expenses paid in coming to, staying at, and retiring from Parliament. It was said, that the king desired to have a "colloquium" with the above, and with others of the community of the kingdom, respecting the perambulation of the forests and other affairs. Writs were also issued to two justices of the forests, north and south of the Trent; to sixteen magistri, learned of the law; to twenty-two of the council; to the Chancellor of the University of Oxford, for four or five of the most discreet persons best versed in the written law; to the Chancellor of the University of Cambridge for two or three. With the magistri the king wished to have a special colloquium and discussion, and with others of the council, on the rights and dominion appertaining to him in the kingdom of Scotland.*

With the other important matters brought under debate we are not immediately concerned. It was determined that the answer to the pope should be sent in the name of the earls and barons of England, with the full concurrence of all the clergy, excepting always the primate. It stated, as an historical fact, that the kings of England, from the first establishment of the kingdom, in the times both of the Britons and of the

* Parliaments and Councils of England, 64.

CHAP. VII.

Robert Winchelsey. 1294-1313.

Angles, had possessed and exercised the supreme authority over the kingdom of Scotland, and that it never, at any time, belonged to the Roman Church. The kingdom of Scotland, it was asserted, had been from time immemorial in feudal subjection to the progenitors of King Edward; and the Kings of England had never answered, or been bound to answer, respecting these, or any other of their rights, before any judge, ecclesiastical or secular. They were, therefore, fixed in their resolve, that their lord and king should in no respect answer judicially before the pope, with respect to his rights over the kingdom of Scotland. He shall not, they said, plead his indisputable rights before any papal court; he shall not send procurators or ambassadors to assert his cause. Such conduct would be derogatory to his dignity as an independent king, and would tend to the subversion of the constitution of his kingdom. The liberties, the customs, the laws of England, they were bound by oath to maintain. What, by God's grace, they rightfully possessed, that, by God's help, with all their might and power, they were prepared to defend. They concluded with saying, "We do not permit, we ought not to permit, we will not permit, our lord and king, even if he were inclined to do it, or if he were to attempt to do it, to submit to demands, unprecedented, unjustifiable, and prejudicial to his kingdom."

Edward cared not how strong might be the language employed by his barons—the stronger the better; but he accompanied their address with a letter from himself of a more conciliatory character. His historical facts are rather startling to the modern historian. He informed Pope Boniface that, in the time of the prophets Eli and Samuel, a mighty man and a man of note, Brutus by name, by birth a Trojan, landed

with certain Trojan nobles in an island then called Albion, inhabited by giants. The giants were expelled, and the island, from his own name, was called Britain. At his death, he divided the kingdom between his three sons, the eldest, Locrinus, having the supreme authority; and so he proceeded, having, throughout, authorities for his statements, quite as trustworthy as Geoffrey of Monmouth; and proving, to his own satisfaction, and the satisfaction of his subjects, his right to the supreme authority over the whole island.

We may, in passing, be permitted to remark, that the veracity of these statements, so far as they went, was not disputed by the Scotch. Only one thing, either in ignorance or by design, the king had entirely overlooked. What he said of Brutus was true; but then he ought to have remembered, it was said, that the Scots were descended from Scota, the daughter of Pharaoh, king of Egypt, and that, although Brutus had made the division of the island between his sons, yet that Scota had rescued the northern part of the island from their dominion.

It was at this parliament that Winchelsey committed the offence which afterwards brought him into trouble. It is said that he proposed certain revolutionary measures to the opposition lords, which they, without betraying him, rejected. The king, as we shall see, believed this to have been the case; and the conduct of Winchelsey was that of a guilty man.*

* Thorn, in the X. Scriptores, col. 2004, expressly states that this was the charge brought against Archbishop Robert. He was accused "super multis articulis, et præcipue super proditione quam cum quibusdam comitibus proceribusque multis pactus erat in dolo, ut regem solio regni dejicerent et filium ejus Edwardum in trono subrogarent, et patrem perpetuo carceri manciparent." His praise of the young prince, as "a devout youth," looks as if the prince was

CHAP. VII.

Robert Winchelsey. 1294-1313.

The earls evidently disliked the primate; the king barely tolerated him. The conduct, indeed, of Winchelsey was such as might well provoke a king less easily provoked than Edward. Not only was the archbishop the adviser and friend of an undutiful son, but he was an incessant persecutor of the English clergy, because they determined to tax themselves for the service of the State, and thus defy the pope, whose bull Winchelsey strove to force upon them. The day of retribution came, in the year 1305.

In this year he held a council at Merton,* at which, however, nothing of importance was transacted, though a few things in relation to it are worthy of notice.

In every parish it is stated there were heretics, and some persons who openly professed infidelity. There was no statute then in existence for burning heretics, and the heretics cared little for spiritual censures. The remedy proposed, appears, at first sight, extraordinary: the clergy were exhorted to be particular in exacting from such persons, the payment of their tithes. The tithes to be exacted were upon milk, from the time of its first newing, and in the month of August as well as in other months; and on the profit of woods, mast, trees (if sold), parks, fish, stews, rivers, ponds, fruits of trees, cattle, pigeons, seeds, fruits, beasts in warrens, fowling, gardens, court-yards, where herbs and flowers grow, wool, flax, wine and grain, turfs when they are

under the influence of Winchelsey; and there is a letter in existence which shows that, at a time when the prince was in disgrace with his father, he was in correspondence with the primate. It is printed in the Sussex Archæological Coll. ii. 82. The narrative in the text is taken from Thorn, Birchington, and Matthew of Westminster.

* In prioratu Mertonensi in Comitatu Surriæ. Wilkins, ii. 278. Lynd. 191. Spelman, ii. 431.

dug and made, swans, capons, geese, ducks, eggs, hedgerows, bees, honey, wax, mills, what is caught in hunting, handicrafts, merchandise; as also lambs, calves, colts, according to their values.

The connexion between the enactment and the offence appears to have been this, that some persons thought, that if they professed a disbelief in the articles of Christianity, they might be exempt from the payment of dues to the Christian minister. It is to be observed, that this was long before the Act *De Hæretico Comburendo* was passed; and the persons referred to were regardless of Church censures, which only deprived them of privileges which they did not value.

There were six constitutions published at this synod, or soon after. Five of them relate to tithes or other payments to the Church; and one, the fourth, to those regulations in matters of detail, in which Winchelsey took an especial interest. This canon is interesting to the modern reader, because, by a reference to Church furniture, it enables us to form some idea of the character of the offices of the Church at this period of our history. It declares what things the parishioners were bound to provide for the service and repairs of their church; to wit, a legend or lectionary, which contained the lessons to be read throughout the year; an antiphonar, containing all that was appointed to be sung or said at the seven hours, except the lessons; a graduale or gradual, containing all that was required to be sung by the choir at high mass; a psalter; a troper, containing the sequences only, which were not inserted in any gradual, or ordinal, the book containing the manner of conducting the service; a missal; a manual, containing the offices of baptism and the other sacraments; a chalice; the principal

CHAP. VII.

Robert Winchelsey. 1294-1313.

vestment, a cope to be used on great occasions, with a chasuble, the vestment used instead of a cope; a dalmatic, the deacon's garment; and the tunicle, the sub-deacon's garment; a choral cope with its appendages, that is, with alb, amice, stole, maniple, girdle; a frontal for the high altar; three towels; three surplices; one rochet, or a surplice without sleeves; a cross for processions; a cross for the dead; a censer; a lanthorn, and a handbell to carry before the host to the sick; a pyx for the consecrated bread; a decent veil for Lent; banners for the Rogations; bells with ropes; a bier; a vessel to hold the holy water; an osculatory or pax; a candlestick for the wax taper at Easter; a font with lock and key; the images in the church; the chief image in the chancel; the inclosure of the church-yard; the repairs of the body of the church, within and without, with the images, windows, books, and vestments. All things else were to be done at the expense of the rector or curate. As only one book of each sort was ordered, Lyndwood informs us, that, when more were required, they were to be regarded among the things to be provided by the incumbent.*

The extreme unpopularity of Winchelsey rendered it difficult for him to legislate; and the council now held was peculiarly obnoxious to the clergy, upon whom, if new imposts were not laid, the demands were rendered more stringent. His intimacy with the young prince added to his many offences with the king, who complained also of the persecution, for it was little short of that, to which all the loyal clergy were subjected: they lived in continual dread, lest the haughty primate should embroil them with the State: the bishops, especially those who held secular

* Lynd. p. 252.

employments, were watching opportunities to effect his ruin.

At the close of the year 1305, Archbishop Robert received an unexpected summons to wait upon the king. It was an honour to which he was not accustomed, and he may have thought, that the summons had reference to something which had occurred at the late council. He delighted in pomp and ceremony; and in great pomp and with much ceremony, as usual, he made his journey to the royal palace.

But, proud as he may have been, he was crestfallen from the moment he entered the council-chamber. He saw in the king's hand a letter, to which the archiepiscopal seal was attached. He knew its fatal contents. There was a frown on the stern countenance of the king, as he stood erect, almost a giant, although from the fine proportions of his figure, this was only apparent to those who, like Winchelsey, at the present time, stood straight before him, and were obliged to look up into his face. The king pointed with his right hand to the letter in his left. Conscience made Winchelsey a coward. He was overwhelmed with confusion. He is stated actually to have blushed. The king, still pointing to the letter, looked torve upon the culprit, and muttered gruffly, but significantly, the word "traitor." The trembling primate offered to surrender then and there, all his property to the king—even to resign his archbishopric.* Nothing could be more abject than his submission. The king, he knew, was now all-powerful, and not a man with whom it was safe to trifle. But the time had not come when a king of England could take it upon himself to order a traitor prelate to the block. The

* So I understand Mat. of Westminster, when he says (ad ann. 1305), "pallium Regi tendit."

CHAP. VII.

Robert Winchelsey. 1294-1313.

king, with dignity, declined to act in a case in which he was himself so immediately concerned, and then, with less of dignity, though in accordance with the manners of the time, he used strong language in reviling his prostrate enemy. He could forgive him for his treason, but he could not overlook or pardon his tyranny, his oppression of all the loyal clergy; that is, of all the clergy except a fanatical few, who looked for preferment from the archbishop. In defiance of his remonstrances and solicitations, the king accused the primate of having subjected the true and loyal clergy, on the slightest pretences, to deprivation or deposition. "I know," he said, in conclusion, "the pride of thine heart; I know thy rebellion; I know thy craft and cunning; I know the incessant hostility with which thou hast acted against me; I know the disturbances which thou hast encouraged." For his trial on these several accounts, he relegated him to his peers and co-provincial prelates, that they might deal with him as equity and justice should require.

Winchelsey wept and sobbed. He knew not what he said or did. He implored forgiveness. He asked the king to bless him. Edward again acted with great dignity. He was evidently softened by the unexpected prostration of his enemy. He could, moreover, distinguish between the office-bearer and the man. He was a religious man, and the episcopal office he could reverence, even when he could no longer treat Archbishop Robert with respect. He drew himself up to his height, and looking down upon the primate, he said: "Ill would it beseem me, holy father, so to act; it is I who must receive the blessing from thee." He bowed his head as he spoke, and having received the episcopal benediction, he permitted the primate to be taken from his presence.

The king had obtained possession of the fatal letter, through his son-in-law, the Earl of Hereford. On the death of his father, the young earl, who had married Edward's daughter, placed all his father's correspondence in the king's hand. This unjustifiable betrayal of a secret correspondence involved the Earl of Norfolk, who was still living, in trouble. Although neither he, nor the late Earl of Hereford, entered into the treasonable proposal of Winchelsey, they might themselves be accused of misprision of treason, in not denouncing the archbishop to the king. The king, however, dealt generously with the earl. He merely made him purchase his pardon, by constituting the king the heir of his estates, in which, with some addition, he was permitted to preserve a life-interest. But what to do with the primate was a question of greater difficulty. Who was to try him? How was he to be punished? Edward, whose religion did not, of course, rise above the religion of the age, was afraid of St. Thomas of Canterbury. Thomas à Becket was more powerful as a dead saint, than he had been as one of the greatest of living men. Would St. Thomas take the part of Archbishop Robert? Would he offer efficacious prayers against the king? The king, supposing that St. Thomas would support the papal authority, considered that he was acting a wise and politic part, when he threw the responsibility of the whole proceeding upon the pope. The services of the reigning pope he could command.

Boniface VIII. was now dead. Bertrand de Goth, who, under the name and title of Clement V. had succeeded him, had been, as Archbishop of Bordeaux, a subject of Edward. Edward loaded his former subject with favours and presents. He sent the Bishops of Lichfield and Worcester, with the Earl of Lincoln,

CHAP. VII.

Robert Winchelsey. 1294-1313.

to represent him at the coronation of Clement, which took place at Lyons; and, as ambassadors, they followed the papal court to Bordeaux. Here they solicited the pope to assist the king in the degradation of the Archbishop of Canterbury, whom they represented as one who disturbed the peace of the country—a rebel, and the patron of rebels. Clement was a weak, as well as a wicked man. Under him, a new policy was introduced at Rome, which ever afterwards prevailed—that of obtaining influence in the various countries of Europe by siding with the strongest party. The king was now all-powerful in England, and, although it was difficult to know how to proceed against the archbishop, the pope so far at once acceded to the king's request, as to issue a citation for him to appear before the Roman curia, which would free the king from his presence in England.

The king, meanwhile, caused all the archiepiscopal estates to be sequestered; and to such difficulties was Winchelsey reduced, that he could hardly obtain the necessaries of life. Some monks of Canterbury, who, in compassion to his wants, provided him with food and shelter, were ejected from their monastery. The monks were as hostile to the archbishop, as were the king and the clergy.

When the citation arrived, Archbishop Robert sent to the king to obtain permission to cross the sea, and to obey the summons. He received for answer, that the petition for leave to quit the country must be made in person.

The archbishop, no longer in pomp and pride, but almost in the character of a mendicant, presented himself at the palace-gates. The king directed, that he should be admitted to the presence-chamber, and gave orders that the doors of the chamber should be

left open, that all who chose might witness his triumph over a man, who had given him so much trouble. Winchelsey once more confronted the king. The king waited till the primate made his humble request for leave to quit the kingdom. "Permission to go," said the king, "right willingly we give, but permission to return never shalt thou have. Never can we forget, or forgive, thy craft and subtlety, thy treachery, or, especially, the treason which thou didst plot against us when the Parliament met at Lincoln. Here, in this letter, under thy hand and seal, we have thy condemnation, and further witness we need not. From reverence to St. Thomas of Canterbury, and out of affection for thy Church, we have thus far restrained our anger. To the pope, we leave it to redress our wrongs. He will, we hope and believe, deal with thee as thou dost deserve. Favour at our hands never expect. Merciless thou hast been to others, mercy to thyself shall not be shown."

The poor prelate wept and sobbed, as the king, in the moral castigation of Winchelsey, avenged the flagellation of his great-grandfather at the tomb of Thomas à Becket, of whom Edward, however, still stood in awe.*

And so Archbishop Robert prepared to depart from England, hated by his clergy, scorned by the monks, betrayed by his party, insulted by a king, to whom he had acted as a traitor, to find himself contemned by the pope, whom only he had faithfully served.

* Thorn, a monk of St. Augustine, dwells, with unrighteous satisfaction, upon the degradation and the meanness of spirit shown by Winchelsey. He says: "Hæc autem scripta sunt ut credatis quia pater Augustinus habet potestatem in terra puniendi peccata et suos indebite gravantes vindictam inferendi, et ut credentes ipsum et suos honoretis in nomine ejus." X. Script. col. 2005.

CHAP. VII.

Robert Winchelsey. 1294-1313.

How to deal with the archbishop, when he arrived at Bordeaux, was a matter of debate in the Roman curia; and was a question not easily decided. His treason against the King of England originated in his loyalty to the Pope of Rome. Nothing was done. The pope refused to grant him an interview. The Courts deferred the hearing of his case. All parties, at Bordeaux, were, probably, not sorry, when they were informed that—a consequence of the accumulation of his troubles—the poor man was confined to his house, and laid low by a paralytic seizure.* Then, at last, compassion was excited in his behalf. By way of compromise, it was proposed, that Winchelsey should be translated to another archbishopric.

While the negotiations were pending, all difficulties in this case were removed by the death of the great king.†

Orders were immediately issued, by his successor, for the recall of Archbishop Robert. This proceeding, on the part of the king, tended, of course, to confirm the charges made against the primate, by Edward I.

Of Winchelsey's guilt, it seems scarcely possible to doubt. Considering his position, his power, and the prestige still attached to his office, it would not have been possible even for Edward I. to act towards him with that extreme severity which marked his conduct, if he had not sufficient evidence in his possession to establish his charges. Neither is it likely, that an archbishop, who had boldly opposed the king for many years, would have been so overwhelmed with

* "Ubi ex nimia fatigatione per æstus intemperiem sæpius ad dictam Papæ curiam accedendo ibidemque diutius morando morbum tam gravem noscitur incurrisse; quod omnem membrorum suorum vigorem diutius perdidit atque motum."—*Ang. Sac.* i. 16.

† Knighton, col. 2530, mentions a tradition, that Winchelsey witnessed the king's death in a dream.

terror, and have become so mean and abject in his grief, unless he had that evil conscience which makes cowards of us all. It is not probable, that Winchelsey would have met with the insults which awaited him at the papal court, if the difficulty had related only to the manner of dealing with the evidence. The difficulty, evidently, related to the manner in which a prelate, devoted to the papal cause, was to be treated, when he was accused of treason by his king. The favour shown to him by the young king seems to corroborate the other evidence; and, from what we now know of the character of Edward II., violent and weak, dissolute and self-willed, we can easily understand how he would countenance a scheme devised to place him on his father's throne, and all the while be unable to perceive the folly, as well as the wickedness, of any such attempt.

On the other hand, it must be admitted, in Winchelsey's favour, that it does not appear that the ambassadors of Edward, at the papal court, were empowered to produce the fatal letter, the possession of which was a cause of such triumph to Edward, and the sight of which converted the haughty Winchelsey into a coward. The effect produced by that letter, on either side, is, indeed, a proof of its authenticity; but it may have referred to other affairs, and have involved, in its production, the character of other persons, with whom Edward had entered into relations of friendship; and on this ground, it may have been thought expedient to rest on those general charges which only were made at Bordeaux, where Winchelsey was accused of having connived at the rebellion of others, instead of being an actual rebel himself.

Archbishop Robert, overjoyed on the discovery of the silver lining in the cloud, which was soon to be

CHAP. VII.

Robert Winchelsey. 1294-1313.

entirely dispersed, prepared to return home. As is not unfrequently the case, a restoration to prosperity was the precursor to the archbishop of a restoration to health. His mind had not been weakened, and his limbs gradually and quickly recovered their power. But he was not strong enough to reach home before the coronation; and as the coronation was to be conducted on a scale of more than usual magnificence, he would not have been able, even if he had been in England, to have officiated on the occasion. This was, doubtless, a disappointment to one who loved the pomps and vanities of the world so much as Archbishop Robert. He issued a commission, to officiate for him at the coronation, to three bishops, leaving it to the king to select the prelate who should actually perform the ceremony. The king made choice of the Bishop of Winchester.*

On his arrival in England, the primate was delighted to find, that the estates of the see were in the best possible condition, and that so much ready money was in his treasury, that, as he declared, he was now a richer man than he had been ever before. When Winchelsey was cited to the papal court, Clement had addressed a bull to two persons, named in the instru-

* Henry Woodlock, or de Wodlock, was born at Merewell, Hants; and hence, he is sometime called Henry de Merewell. Nothing is known of his previous history, beyond the fact of his having been prior of St. Swithin's, Winchester. He was consecrated to the see of Winchester, on the 30th of May, 1305. The selection of Bishop Woodlock to crown him, by Edward II., was a marked insult to the memory of his father; for he had in some measure participated in the treasons of Winchelsey, and had been outlawed. All tends to show the existence of a conspiracy, in which the great Earls refused to concur, for the deposition of Edward I. He died June 29, 1316, at Farnham, and was buried in his cathedral. X. Script. 2007, 2531. Ang. Sac. i. 316.

ment, to administer the spiritualities of the Church, and sent another to the high treasurer, the Bishop of Coventry and Lichfield, directing him to take charge of the temporalities of the see. The treasurer, with much indignation, delivered the bull to the king, whose wrath waxed high. He declared, no one, not even his own treasurer; no one, Englishman or foreigner, deputed by the pope, should dare to deal with the temporalities of any benefice in his kingdom. He agreed, however, not to seize the property for his own use, and appointed Sir Humphry Walden administrator. Sir Humphry acted as an honest man, and restored the estates, in good order, to the archbishop.

Winchelsey returned to England, a wiser, and, no doubt, a better man. He no longer found pleasure in making himself odious to the clergy; and, always abounding in almsdeeds, his liberality, both to rich and poor, increased, with his increasing wealth, to such an extent, that he left, when he died, so high a character, that modern historians have been inclined to overlook the offences of that portion of his career, which has lately passed under our review.*

That Winchelsey recovered completely from his paralytic attacks, is proved by the fact of his being able to undertake the fatigues of a provincial visitation; and what these fatigues must have been, we can easily imagine, from the statements made upon the subject in a preceding chapter.

The event, however, by which the remaining portion of this primacy was distinguished, is the sup-

* Parker, Godwin, and Johnson, are inclined to take a more favourable view of Winchelsey's character than existing documents seem to warrant. They rely on the praises which, in early life, and at the close of life, were due to him, but even then only due with certain modifications and allowances.

CHAP. VII.

Robert Winchelsey. 1294-1313.

pression of the Knights Templars. A more cruel persecution, history has not to record. In alluding to the persecution of the Jews, in the early part of the first Edward's reign, we have shown, that there were mitigating circumstances, which prevented the sufferings of the injured party from being extreme. But no one can glance at the authentic accounts of the treatment of the Knights Templars under the ferocious malignity of Philip, and the criminal weakness of Clement, without coming to the conclusion that, when once the law which protects society is, in any of its departments, superseded or suspended, human nature is desperately wicked, and its tender mercies cruel. Much declamation has been employed in denouncing the conduct of Henry VIII. and his ministers, for the measures they adopted when the monasteries were suppressed in the sixteenth century. They however did, in truth, only follow the example set them by the pope and the papal authorities in the thirteenth century, acting on the same principles, and carrying their point by the same nefarious means; except that the cruelty and perjury in the imitator were as nothing compared with the atrocities of the prototype.

In the sixteenth century, the monasteries—at one period such useful appendages to the Church—had done their work, and their abolition was the consequence. So it was with respect to the Knights Templars in the thirteenth century. The suppression of the military monks, like that of the other monastic orders, might have been effected gradually, and by a change in their constitution, such as would have benefited society in general; but, in both cases, the eager avarice of unprincipled despots did, in cruelty, what sound policy suggested, and reduced a whole

class to destitution without adding to the riches of any, except themselves and their minions; who squandered what they obtained on the very vices, for the commission of which the original proprietors were condemned.

After the loss of all the Christian territory in Palestine, and when all hopes of a permanent possession of Jerusalem were annihilated, the services of the Templars were forgotten. Their popularity, at one time so great, gradually diminished, with the diminishing enthusiasm for the Holy War. Unemployed in the East, they remained in their preceptories in Europe, an armed aristocracy; they became a terror, very often, to their neighbours, and were regarded with suspicion by their princes. They may, in some instances, have indulged in the immoralities of the camp; but the charges which were brought against them, and which their enemies attempted to prove, not by evidence, but by confessions extorted under torture, are either so ludicrously absurd, or so atrociously monstrous, that we come to the conclusion that, while their immoralities could not be wholly denied, it was necessary to prevent them from resorting to the argument of a *Tu quoque*.* "Bad we are," they might have said, "but other monasteries are as bad: if you proceed against us, you must proceed against them." It became necessary, therefore, to bring accusations against them, from the mere assertion of which, not only religion, but human nature shrinks. These were repeated, as bearing upon other orders, in the reign of Henry VIII. In the ruder age of Philip

* The military orders have never had justice done to them. It was, in fact, the suppression of the Templars which rendered the recovery of Palestine impossible. The Hospitalers were a great defence of Christendom for three centuries later.

CHAP. VII.

Robert Winchelsey. 1294-1313.

and Clement, they were exaggerated by a prurient imagination, such as, since the Reformation, has never been publicly indulged.

The destruction of the Templars was more easily accomplished, than we should have supposed to be possible; if we were not made acquainted with the fact, that they had neither friend nor ally. For all their power, influence, and privileges, they depended upon the pope, and when the pope forsook them, they might bid a long farewell to all their greatness.

The clergy hated them, as the greatest enemies of the Church. The other monks were jealous of them. The great men envied their wealth. All little minds are, by nature, opposed to every kind of aristocracy. Prouder aristocrats, than the Templars were not to be found. They contemned other knights, pointing to their own superiority in the field of battle. They looked with defiance on the prelates of the Church; for their exemptions from episcopal jurisdiction and from the authorities of National Churches, were more complete than those of any other monastic institution. Their exoneration from the payment of tithes tended to exasperate the feelings of the clergy against them; while the statesmen regarded, with feelings of hostility, a fraternity which was continually robbing the country, as it was supposed, by the transmission of large sums of money, to be expended in a distant warfare—a warfare at one time popular, but now regarded with decreasing interest. One of the exclusive privileges conceded to the fraternity, which most alienated the minds of the clergy from the Templars, during the season of their popularity, was the right they possessed of celebrating divine service in the chapels of their preceptories, open to all comers, during an interdict. As they

decreased in popularity, the bishops and clergy manifested their hatred by various acts of aggression, which provoked the popes to issue new bulls for the protection of the Templars, and to fulminate threatenings against the clergy who opposed them.

Nevertheless, long before the time came, when a French king and a French pope combined for their destruction, their power and influence were known to be decreasing. Great men had been accustomed to send their plate, jewels, and money to the preceptories, when they were quitting home, thinking that they here possessed a double security. The ground was holy ground, and the Templars were armed monks. But Edward I., who did not disregard public opinion, felt that no great complaints would be made against him in Parliament, when, in order to pay the arrears due to his army, after his victorious campaign in Wales, he visited the Temple with his myrmidons, and abstracted 10,000*l.* He had an excuse for the visit, as he went under pretence of searching for his mother's jewels, of which the Templars had the custody. But, being there, he could not refrain his hands from picking and stealing. His example was followed by a son ready to imitate his faults, though unable to emulate his virtues; for Edward II., soon after his accession to the throne, went with Piers Gaveston to the Temple, and appropriated 50,000*l.* of silver, and a quantity of gold, jewels, and precious stones, belonging to his enemy, the Bishop of Chester.*

* "Ipse vero Rex et Petrus thesaurum ipsius Episcopi, apud novum templum Londoniis reconditum, ceperunt, ad summam quinquaginta millia librarum argenti præter aurum multum, jocalia et lapides preciosos."—*Hemingford*, 244. He says that this took place before his father's funeral.

CHAP. VII.

Robert Winchelsey. 1294-1313.

When we refer to the subsequent conduct of Edward II., we cannot but suspect that, in this act of violence, he was encouraged by the Templars themselves. They saw and felt the gathering storm, and they bribed the king, by suggesting to him an act, which robbed not them, but a bishop, with whom they had little sympathy, and which, being an act of violence, would not involve them in blame.

Certain it is, that when King Philip sent Bernard Peletin to England to persuade the young king to join in the proceedings against the Templars, which had been commenced in France, the answer returned was, that the king and his council could not give credit to the charges, which were brought against them. The crimes attributed to the Templars were so abominable and execrable, as to be beyond belief; and it is important to remark that, in this document, it is stated, that by the king, and by the prelates, earls, and barons who formed his council, they had never been heard of.*

This was written in October, and in the following December the king wrote a kind of circular, addressed, in the first instance, to that magnificent prince the Lord Dionysius, "by the Grace of God king of Portugal," and

* Fœdera, ii. pt. i. 10. "Et quia tam abhominabilibus et execrabilibus dictis hactenus inauditis nobis et præfatis prælatis, comitibus et baronibus ab initio fides facilis adhibenda minime videbatur." This is strong testimony in favour of the Templars. Their extreme depravity was not known as a public scandal. I shall not refer, in proof of every statement, either to the Fœdera or to Wilkins. Anxious to form a just judgment, I have very carefully gone through the documents published by the latter, vol. ii. p. 304, and the fifty pages following, and by Rymer, vol. ii. part i. They can be easily consulted. Compare P. Dupery, Hist. de la condemnation des Templars. Edit. 1751. Also, Nicolano Gürtters, Hist. Templariorum: Amstelod. 1703, and Dugdale's Monasticon.

also to certain other potentates, in which he affectionately entreats them to turn a deaf ear to the slanders of perverse men who were, he was convinced, under the influence not of a zeal for righteousness, but of envy and avarice.

He also wrote on the 10th of the same month to the pope, and here again he stated that the Templars were respected by all men in his kingdom for the purity of their faith and morals.*

No one can read this document without seeing that it was written by the Templars, who had indirectly bribed the king. It was merely signed by the royal youth, who, having accepted the bribe, was, while kept in good humour, ready to do whatever the persons who had purchased his protection, might dictate.

Winchelsey returned to England, and now the whole character of the proceedings was changed. Although his enthusiasm in the papal cause was damped, and although Clement scarcely dared to trust the man, whom he had, in his insignificance and pusillanimity, forsaken, yet Archbishop Robert was always prepared to support the policy of the Court of Rome. Over the facile mind of the young king, he exercised his influence; and to that influence we may trace the sudden change, which took place in the treatment of the unfortunate Templars.

* The misstatement in favour of the Templars is as suspicious, on the one side, as the misstatement of their crimes is on the other. That they were an aristocracy guilty, it may be, of immoralities, with some great and good men among them, is no doubt the fact, and may be conceded by those who entirely discredit the assertions which many, under torture, had not strength of mind to deny. The letter to the pope may be found, Fœdera, ii. 20. The words are rather too strong:—"Prædicti Magister et fratres, in fidei catholicæ unitate constantes, a nobis et ab omnibus in regno nostro, tam vita quam moribus habentur multipliciter commendati."

CHAP. VII.

Robert Winchelsey.

1294-1313.

The letter of Edward to the pope, dictated in all probability by the Templars themselves, or certainly by some determined friend to their cause, had scarcely been despatched, when a letter was received from the pope himself, reproaching the king for want of zeal in the cause of the Church; and exhorting him to follow the example of the King of France, by ordering all the Templars of his kingdom to be placed under arrest, and at the disposition of the holy see; and also by sequestering their property, until the will of the pontiff, in regard to its disposal, should be further known.*

Winchelsey was now in England, and on the 8th of January, 1308, the Templars were arrested in all parts of the country, and their property placed in the hands of the king; who, in spite of the remonstrances of the pope, applied what he thus obtained to his own use.

In the following August, the primate received the Bull *Faciens Misericordiam*, addressed by the pope to his venerable brethren, the Archbishop of Canterbury and his suffragans. It is a remarkable document, evidently showing, that however unpopular the Templars may have been, there was, in England, an unwillingness to adopt those extreme measures, which were already crushing them in France. The pope admitted the services they had rendered the Church in times past, and the improbability, *à priori*, of their being involved in that depth of iniquity of which they were accused. He added, however, that their guilt was proved, beyond possibility of doubt, under the investigations which had taken place in France. The most startling assertion, however, in the whole document, is that, in which the pope actually takes it upon himself to affirm that Philip the Fair was influenced

* Knighton, X. Script. col. 2494, 2531.

entirely by a zeal for orthodoxy, and not by avarice, since he declared—though he lied—that he did not intend to appropriate to his own uses any of the property of the order, which the pope was about to condemn.

The metropolitan, as in duty bound, transmitted a copy of the bull to his suffragans, and he summoned a council to meet at St. Paul's on the 25th of November. The summons is addressed to the bishops, "Necnon Decanis et procuratoribus capitulorum Cathedralium Ecclesiarum, præpositis, archipresbyteris, archidiaconis, et procuratoribus cujuslibet diocesis, abbatibus, prioribus, ac procuratoribus collegiorum."* It will be seen from this, that, so far as the Church was concerned, representative government had now very nearly assumed its modern form. The *avowed* object of the council, as that of other synods had always been, was to effect a reformation of the Church of England; but the *real* object was to commit that Church to the papal, or as we may now call it, the French policy. Little, however, was done, beyond the promulgation of a bull from the pope, appointing a general council to be held at Vienne, for the abolition of the order of the Knights Templars, and to determine as to the disposal of their property. By stating, that certain processes were issued against persons, who had favoured or harboured the Templars, the pope held out a threat; which became the more necessary, from the compassion which was beginning to be felt for men, many of them gentlemen of high birth and of unquestioned valour, who were subjected to hardships, if deserved, yet unexpected.

The next step was to obtain permission for certain commissioners,† to carry on, in England, investigations

* Wilkins, ii. 304.

† They are sometimes called Inquisitors; but this title would

CHAP. VII.

Robert Winchelsey. 1294-1313.

similar to those which had been conducted in France; and under a safe conduct from the king, the abbot of Lagny, in the diocese of Paris, and Master Sicard de Vaur, Canon of Narbonne and chaplain to the pope, arrived in England. A royal mandate was directed to the Archbishop of Canterbury, and the Bishops of London * and Lincoln,† to act as assessors to the papal commissioners, and to watch their proceedings.

The commissioners opened their court in the hall of the Bishop of London's palace, but the archbishop himself, probably from the infirm or uncertain state of his health, took no part in the procedings.

On the 26th of December, 1309, the primate summoned another synod, or as we may now, perhaps, call it, a convocation, at St. Paul's. To this he went from his manor-house at Lambeth, in great state. He

suggest what was not the case, that they were officers of the Inquisition.

* Ralph Baldok was educated at Oxford: Godwin says, at Merton College; but Foss states, that he was Archdeacon of Middlesex within two years after the completion of the college, which would, of course, invalidate that statement. He was eminent as a lawyer and statesman. He was appointed Chancellor by Edward I. a few months before his death. He was one of the ordainers appointed in 3 Edward II. for the management of the affairs of government and the king's household. Having been previously collated to the Archdeaconry of Middlesex, he was in 1294 appointed Dean of St. Paul's, by which title he was summoned to Parliament, in Oct. 30, 1300. He was consecrated to the see of London, January 30, 1306, at Lyons. He died at Stepney, 1313, and was buried in the chapel there. He wrote "Historia Angliæ," a history of his own times, and made a collection of the statutes and constitutions of St. Paul's. Ang. Sac. i. 597. X. Script. 1730. Foss, iii. 220.

† John d'Alderby. We first hear of him as a prebendary of St. David's. In 1293, he was chancellor of Lincoln. He was consecrated Bishop of Lincoln, June 12, 1300. He added two spires to the cathedral. He died at Stow, January 5, 1320. Cole. MS. xliv. 48. Ang. Sac. i. 525. ii. 651.

rode through Southwark, and crossing London Bridge, was received by the bishops and clergy of his province at the west door. Seated on the bishop's throne, he preached a *Concio ad Clerum*, taking for his text Acts xx. 18. The council sat by adjournment for several days, and various gravamina were discussed. On the Monday following, the archbishop, having been taken ill on the preceding night, was unable to attend at St. Paul's, and his suffragans waited upon him in his chamber at Lambeth. Here the real object of the convocation was discussed. The report of the commissioners was received, and a resolution passed, that the king should be petitioned to offer every facility to the investigations of the commissioners.

The commissioners went to the north of England, and held courts at York, and afterwards at Lincoln: on their return to London, they recommenced their labours at St. Dunstan's in the West, near the Temple; and, with unrelenting perseverance, they prosecuted their inquiries.

They made a report, from time to time, to the king and the archbishop. The articles of accusation we still possess, founded on the rack-extorted admissions of the persecuted Templars. We can only come to the conclusion, on the perusal of them, that, if they be true, the dictum of the Poet is completely established, and that those who are predestined to destruction are, first of all, demented. The Templars must have been as idiotic in their amusements as, according to their enemies, they were diabolical in their vices.*

To the honour of England, it may be affirmed, that

* The articles of accusation, and an account of the examinations, in some detail, may be found in Wilkins ii. 331. Compare Tresor de Chartres Raynouard, Monumens Historiques, 50, 51.

CHAP. VII.

Robert Winchelsey. 1294-1313.

the malignant zeal against the unfortunate Templars, which prevailed in France, was not exhibited in this country. It was well known, that many of this once powerful order were wandering about the country as secular persons; escaping, through the commiseration of the people, from the pursuit of their enemies. The king was frequently reproached for his lukewarmness; and orders were given for a stricter search for the accused, which it was well known would not be strictly obeyed. The pope urged the king to permit his commissioners to have recourse to torture, in order that they might compel the accused to confess their evil deeds. The king at first refused; and when, at last, he weakly yielded to the papal remonstrances, he did so reluctantly; and with the proviso, that the examination by torture should be conducted without perpetual mutilation or disabling of any limb, and without a violent effusion of blood.

This is sufficiently horrible and disgusting; but it was mercy, compared with what was done in France. There, a remorseless tyrant prevailed upon a weak and unwilling pope, to tolerate acts, which his conscience condemned: here, the pope was the less powerful, from the fact of his being supposed to be influenced by the King of France. The archbishop was unable, and perhaps unwilling, to act upon the commission; but, to the honour of the Bishops of London and Chichester, they laboured diligently, and, to a certain extent, successfully, to mitigate the sufferings to which the Templars were exposed. They, at least, endeavoured to obtain for them some measure of justice. They procured a hearing for the accused; who were permitted to hold a conference, which led to a Declaration presented to "our honourable father the Archbishop of Canterbury, Primate of All England,

to all the prelates of Holy Church, and to all Christians." The Templars, herein, assert their orthodoxy, and challenge all Christians, saving only their enemies and slanderers, to bear testimony, and to say how, and in what manner, their lives had been passed. They speak of themselves as unlettered men, though ready to suffer for Holy Church, as He who died for them on the blessed cross. This was signed by William de la More, Master of the Temple, and the various provincial preceptors; and by this assertion all the inferior members of the order, who were then in the London prisons, expressed their willingness to abide.

The papal commissioners were extremely enraged at these proceedings on the part of the English prelates; but the inclination to show mercy, even in a merciless age, increased. On the 27th of June, 1311, the archbishop was so infirm that he was obliged to delegate his authority to the Bishop of London, and it is pleasant to find him, at the close of his life, engaged in acts of mercy. He commissioned the Bishops of London and Chichester to absolve all the Templars, who acceded to the declaration, and professed their penitence. A form of confession and abjuration was drawn up by the bishops; and many of the Templars, on adopting it, were publicly absolved and reconciled to the Church; sometimes in the episcopal hall of the Bishop of London's palace, sometimes at the door of St. Paul's cathedral, at other times in the chapel of St. Mary's, near the Tower; but always in the midst of a concourse of the citizens of London, whose sympathies were with the persecuted, and against the Frenchmen. The absolved, but ruined Templars, were distributed among the different monasteries of the country.

CHAP. VII.

Robert Winchelsey. 1294-1313.

The conduct of the archbishop as a politician, after his return to England, was praiseworthy. He endeavoured to restrain the young king in his excesses, and when he failed in this, he gave his sanction to the coercive measures which were necessary to prevent him from ruining the country and himself. In the parliament which met at Westminster in the Lent of 1310, the archbishop was on a committee, consisting of seven bishops and thirteen barons, to draw up remonstrances for the better regulation of the king's household. He was active against Gaveston.*

The last-mentioned fact alone rendered him popular. He deserves, also, much credit for his generous conduct to Walter de Langton, who had served the office of Lord High Treasurer to Edward I., and was Bishop of Coventry and Lichfield.† Having offended the present

* Ang. Sac. i. 530. See also Chron. Laner, 216.

† Walter de Langton was born at West Langton, in the county of Leicester. He was appointed Keeper of the Wardrobe to Edward I. and in 1295, was raised to the Treasurership of England, with a salary of 100 marks. He was accused by one Sir John Lovelot, of adultery, simony, and homicide; and the king was obliged to dismiss him, for a time, from office. He was, after a long delay, pronounced by the primate to be not guilty, and Edward I. gave evidence that he was convinced of his minister's innocence, not only by reinstating him in his office, which he did in 1303, but by making him also principal executor of his will. His ecclesiastical preferments were, a prebend at Lichfield, and the treasurership of Llandaff. In 1290, he was Dean of Bruges. He was consecrated to the see of Coventry and Lichfield, on Dec. 23, 1296, by the Cardinal Bishop of Albans, at Cambray. Having, under the direction of Edward I., reproved the Prince of Wales for extravagance, the Prince broke down the fences of his park, and drove away his deer. The offence was punished by King Edward I.; and when the prince became king, he threw the bishop into prison, and to indulge his revenge, threatened him with further punishment. He was carried a prisoner from the Tower to Wallingford and York; the pretext being the same as before. But the primate and bishops

king when he was Prince of Wales, this aged minister of the old king was persecuted by Edward II. and Piers Gaveston, by whom he was robbed of his property and cast into prison.

The young king appointed unprincipled men to be his chaplains, and then heaped preferment upon them. Winchelsey attempted to interfere and to correct this abuse. This gave rise to a controversy, which was not settled till the time of Archbishop Stratford, relating to the dependence of the royal chaplains, not on the bishop, but on the king. It was ruled by Archbishop Stratford, as we shall hereafter see, that as a royal chapel did not require consecration, so the chaplains of the king were responsible for their conduct, not to the diocesan, but only to his highness. This is even now the common law of the land; but Winchelsey contended, that as the primate had the spiritual charge of the Royal Family, so, as portions of the family, the chaplains were under his jurisdiction.

The archbishop, towards the close of his life, divided his time between Otford and Canterbury. We have already mentioned the almost boundless charities he exercised to the poor; and their gratitude invested him with the character of a saint.

Whatever may have been Winchelsey's faults as a public character,—and they were many and great—all his contemporaries bear testimony to his worth in

insisted upon his trial, and upon his second acquittal, they compelled the king to release him. He stood by King Edward II. in his troubles, and, in 1312, was restored to his office of treasurer. He quitted public life in 1314, and retiring to his diocese, passed the remainder of his days in the peaceful discharge of his episcopal duties. He died in November, 1321. He was a munificent prelate, and was a benefactor to his cathedral. Hollingshed, iv. 295. Walsingham, 95. Foss, iii. 113.

CHAP. VII.

Robert Winchelsey. 1294-1313.

private life. His manners were courteous, his feelings were kind. He could be violent when opposed, but his prosperity he was always ready to share with others.

He died at Otford, on the 11th of May, 1313. He was buried with the pomp and ceremony which, in life, he loved, in the cathedral of Canterbury, near the altar of St. Gregory, against the south wall, "in a right goodly tombe of marble at the very end in y^e^ waulle side."*

Of the attempts afterwards made to procure his canonization, a brief account is given in Somner.†

* Leland, Itin. vi. Fol. 9. † Somner, 130.

CHAPTER VIII.

WALTER REYNOLDS. *

Born at Windsor.—Son of a Baker.—Educated as a Lawyer.—Preceptor to Edward of Carnarvon.—Character of the Prince.—Reynolds out of favour with Edward I.—Keeper of Wardrobe and Treasurer to the Prince. —Piers Gaveston.—Letters of Prince Edward.—Expenses of Royal Household.—Preferments of Reynolds on the Accession of Edward II.— Treasurer of Exchequer.—Bishop of Worcester.—Chancellor.—Attends Council of Vienne.—Translated to Canterbury.—Misery of the Country after the Defeat at Bannockburn.—Reynolds resigns the Great Seal, and retires from Politics.—Obtains eight Bulls from Rome.—Articuli Cleri.— Hebrew Professorship endowed at Oxford.—Adam de Orlton.—Spirited Conduct of the Primate.—Dispute about cross-bearing between the Metropolitans.—Reynolds sides with the Queen against the King.—Meeting of Bishops at Lambeth.—Murder of Bishop of Exeter.—The Revolution. —Reynolds crowns the Prince. — Preaches at Coronation. — Death.— Benefactions.

CHAP. VIII. Walter Reynolds. 1313-27.

Of all the Primates who have occupied the see of Canterbury, few have been less qualified to discharge the duties devolving upon a Metropolitan, than Walter Reynolds.† He was not equal to the situation, whether we have regard to his talents, his learning, his piety, or his virtues. But when we say this, we must bear

* Authorities. Birchington. William de Dene. These are in the Ang. Sac., to which the references will be made. Walsingham Hist. and Ypodigma Neustriæ. In the same volume with Walsingham, we find De la More's Life of Edward II., which is often referred to by historians, but Reynolds is not mentioned by the author. Chron. Lanercost. Knyghton.

† The name occurs in various forms, with the usual disregard of orthography. I adopt the modern form, as I find it in Stubbs.

CHAP. VIII.

Walter Reynolds. 1313–27.

in mind that he lived at a period when the history of our country is most obscure, and that with obscurity his own history is surrounded.

All that we know of his early years is, that he was born at Windsor, and was the son of a baker.* In the Chronicle of Lanercost his abilities and learning are disparaged. By this is meant, that he did not excel in that branch of literature in which the chronicler imagined, that he himself excelled. Learned men are apt to regard with contempt all, whose excellence lies in a department different from that in which alone they themselves excel; the man of science not unfrequently depreciates the man of literature; and art is only now struggling for its proper place in the intellectual aristocracy. I once saw, in a public journal of considerable circulation, the statement made, that the Duke of Wellington was not a man of genius, because he was unable, or was supposed to be unable, to write an essay or a review.

We cannot believe, that a man, however fortunately circumstanced, could raise himself from a humble station in society to the position of the first peer of the realm, without possessing considerable ability, or without being master of much and important information upon a variety of subjects. Neither can we suppose, that a monarch so discerning, and with such an insight into character as Edward I. would have selected as governor to his son—*juventuti regendæ præfectus*—a man of inferior intellect or insufficient learning.† As to his character he might be deceived, but not as to his capacity.

* "Episcopatum autem adeptus est Walterus Reginaldi, Reginaldi cujusdem pistoris Windesoriensis filius."—*Ang. Sac.* i. 532.

† From one of the prince's own letters, it appears that Reynolds was the governor of the young prince from his earliest years.

It does not appear, that Walter Reynolds received a university education. It is probable that, engaging with some distinction as a lawyer in the spiritual courts of his native diocese, he passed on to the king's courts in London, in which he certainly became distinguished.

Walter Reynolds possessed the peculiar talents, by which he could raise himself to a high situation in Church and State; but he had not the genius or the virtue, by which to employ the powers with which he was invested, to the advantage of his fellow-creatures. His abilities were, in like manner, sufficient to induce Edward I. to select him, from among the rising men of the day, to become the friend and adviser of the young prince, his son. But Reynolds did not possess the moral weight, or influence, by which to control a self-willed, half-witted, but kind-hearted young man. The preceptor was converted into the courtier; the governor became a flatterer; and Reynolds thought more of promoting his own interests by currying favour with the prince, than of training, through a wise and cautious discipline, the future ruler of the country.

Edward II. was one of those young men, so weak, morally as well as intellectually, that it may become a question, whether, for their own good, and for the good of others, they should not be placed under restraint, and treated as idiots. He was without power of self-control. He had not mind enough to understand wit; but in fun, frolic, and mischief, his animal spirits found delight; though he did not enter upon his frolics, until his strong potations had made him ready to find pastime in mischief. The tendency of such a character, when maddened by stimulants, is to the grossest sensuality; and we are not surprised to find Edward of Carnarvon, when he became his own master, at twenty-two years

CHAP. VIII.

Walter Reynolds. 1313-27.

of age, instead of associating with nobles, "cleaving to buffoons, singers, actors, grooms, labourers, rowers, sailors and other mechanics."* Such a character is often distinguished by an excess of good nature. Good nature, however, is perfectly consistent with the performance, on the part of the good-natured man, of acts of injustice and cruelty. There is pleasure in giving pleasure. To those immediately connected with him, the prince was ready to heap gift upon gift, and to resort to actions, not only beneath his dignity, but subjecting him to difficulties, and even to dangers, to do them kindness, or to show them favours. The inventory still exists of the plate and jewels, the golden and enamelled chains, buckles, crosses, cups, chaplets, coffers, girdles—set with diamonds, sapphires, rubies and emeralds—bearing on them the arms of England,* which became the property of Piers Gaveston, being presents from Edward, when he was king, to his favourite. This is sufficient to show, that the silly youth upon the throne, was entirely in the hands of any one, who obtained an ascendancy over his weak mind. In gratifying the favourites, who were at his side, the good-natured man cared not how much pain he inflicted upon persons, who were at a distance. But the favourites of Edward of Carnarvon, both Gaveston and the Despensers, were well aware, that if any other person, thrown into the society of the king, were to gain an ascendancy over his mind, their despotism over that mind might soon cease, and with its cessation their very lives would be in danger. Hence the extraordinary earnestness with which they laboured to keep the king apart from the rest of the

* Knyghton, col. 2532.

† Fœdera, ii. pt. 1, 203. The value of the gifts was something enormous.

aristocracy, his legitimate associates. They scarcely did Edward justice in this respect, for he showed himself firm in supporting his friends; but they could not trust a man of mind so imbecile. They were obliged to keep him, as it were, to themselves, and to secure their own favour by pandering to those vicious propensities, which are sometimes strongest where the intellect is weakest.

To have remained a subordinate favourite in such a court, and, in his time of need, to have forsaken his patron, these are facts which, predicated of Reynolds, pronounce his condemnation.

That the conduct of Reynolds, when placed about the person of the young prince, was not satisfactory to Edward I., is proved by the circumstance, that from Edward, the father, Reynolds received no preferment. He was not dismissed from his place, because, while young Edward was a child, and under direct control, he was so well conducted, that Archbishop Winchelsey described him as a most devout youth. The king was a stern man, and the boy, who stood in awe of him, feared to disobey the rules, which Reynolds, under the royal command, enforced. But when Edward of Carnarvon became his own master, then he yielded to the fascinations of Piers Gaveston, who was accomplished in all the accomplishments of the age,—brave in battle, victorious in tournaments, full of wit; but who condescended to the act of flattering the young prince, not by words, but by meeting his low desires, and by sharing in the dissipations by which he was debased.

The barons were nicknamed at the prince's court. Thomas of Lancaster was "the wild hog;" Pembroke was laughed at as "Joseph the Jew;" Warwick was "the black dog of the wood." It does not redound to the credit of Walter Reynolds that he was made keeper

CHAP. VIII.

Walter Reynolds. 1313–27.

of the wardrobe, and treasurer to such a youth. He must have tolerated vice, as men are too often accustomed to do, when it appears in high places; though we do not find that he was himself a vicious man. He lived in the prince's court, and therefore contributed to support its expenses. As the expenditure of his court exceeded his income, the prince was anxious to secure preferment for his treasurer. We have letters still in existence, showing the royal pertinacity in promoting the temporal interests of his ecclesiastical favourite.

The prince wrote in favour of Reynolds to the Bishops of Chichester, Hereford and Exeter. As a specimen of this correspondence, we select the following letter addressed to the Bishop of Chichester, immediately after his appointment to the see.*

"To the Bishop Elect and Confirmed of Chichester, health.†

"As on account of the special affection that we have for

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* A roll, consisting of several sheets of parchment, many yards in length, and $10\frac{1}{4}$ inches wide, was discovered among the MSS. in the Chapter-House of Westminster, in the year 1848, which was found, upon examination, to contain 800 letters of Edward, the first Prince of Wales, afterwards Edward II. They are copies made by a secretary, written in a small, clear hand, and were written between the 20th of November, 1304, and the 1st of October, 1305. Several of them have been selected, with his usual sound judgment, by Mr. Blaauw, and have been published in the Sussex Archæological Collections, from which the above is taken. The letters are also mentioned as remarkable for the illustration they afford of the private life and habits of Edward, by an archæologist, to whose great ability in bringing the minutest particulars of ancient customs to bear upon the history of the country, all who are interested in mediæval history must bear grateful testimony: the Rev. Charles Henry Hartshorne. Archæological Journal, vii. 263.

† John de Langton was educated at Merton College, Oxford, was a clerk in Chancery, and was the first Master of the Rolls. He served the offices of Lord Treasurer and Lord Chancellor. In regard to his ecclesiastical preferment, he was Rector of Burwell,

our very dear clerk, Sire Wautier Reignaud, keeper of our wardrobe, and for the good services which he has long rendered us, and yet does from day to day, we are anxious to make and procure his honour, profit, and advancement by ourselves and our friends; we beg you, as especially and as cordially as we can, that for charity's sake, and for love of us, you would be pleased to give our said clerk a prebend in your church of Chichester, as soon as a convenient time shall occur, and for this we shall be especially bound to you for profit and honour, if you so will."

Reynolds found his office no sinecure, when he accepted the post of treasurer to the prince, who, in 1305, was in disgrace with his father, as the following letter will show:—*

"To Sir Walter Reignaud, &c.

"Inasmuch as our lord the king is so angry with us on

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a Prebendary of York and of Lincoln; and in 1294, Treasurer of Wells and Archdeacon of Canterbury. He was consecrated to the see of Chichester, on the 19th of September, 1305. Of this prelate grateful mention must be made by the writer of these pages. To his munificence and good taste the Cathedral of Chichester is indebted for the handsome south window beneath which he was buried; and for designing that spire which remained for centuries the pride of the county of Sussex, the cynosure of seamen sailing off the Sussex coast. We have seen it fall—we are seeing it rising again,—

Ὡς μικρὰ τὰ σφάλλοντα, καὶ μί' ἡμέρα.
Τὰ μὲν καθεῖλεν ὑψόθεν, τὰ δ' ἦρ' ἄνω.

He died June 17, 1337. Ang. Sac. i. 515, 524, 639. Dallaway's Sussex, i. 52.

* The prince, at this time, had incurred his father's anger, on account of a disgraceful outrage he had committed on a namesake of the Bishop of Chichester, Walter de Langton, Bishop of Coventry and Lichfield, or, as he was sometimes called, Bishop of Chester. The king punished him, not only by banishing him from the court, but also by withholding from him the necessary supplies for the support of his household. Instead of dismissing his attendants, and living in retirement, the prince, in a manner the most undignified, importuned his friends, to enable him to maintain, in luxury and profusion, the dissipated court which offended his father.

CHAP. VIII. Walter Reynolds. 1313–27.

account of the Bishop of Chester, that he has prohibited us or any of our suite from entering his household, and has also forbidden the officers of his household and of the exchequer to give or lend us anything for the sustenance of our household, we send to you, that you may devise means to send us money in great haste for the sustenance of our household, and do not in any manner show anything of the wants which touch us to the Bishop of Chester, nor to any person belonging to the exchequer. And send us also wax and other things which belong to our wardrobe.

"Given at Midhurst, the 14th day of June."

On the 22d of June Reynolds received another letter:—

"To Sire Wauter Renaud, Treasurer, &c., health.

"Inasmuch as we have heard that the Queen Mary of France, and 'Monsire Lowys,' her son, will soon come to England, and that it will be our duty to meet them, and accompany them as long as they shall be in these parts, and therefore it will become us to be well mounted with palfreys, and well apparelled with robes and other things against their coming; wherefore we command you that you will cause to be bought for our use two palfreys, handsome and suitable for our riding, and two saddles, with the best reins that we have, in the care of Gilbert de Taunton, and the best and finest cloths that you can find for sale in London, for two or three robes for our use, with fur, and satin, and all things proper for them. And these things, when you shall have procured them, cause them to come to us, wherever we may be, and in the most haste you can.—June 22."

The following letter was addressed by the prince to his step-mother, Queen Margaret:—

"To the Queen, health.

"Very dear lady, because we desire very much the advancement of our dear clerk, Sir Walter Renaud, keeper of our wardrobe, as we are bound for the good services which he has largely done for us, and we have heard that our clerk, late Sir Giles Daudenard, who held one prebend in Rypon, and

another in the church of Chichester, and a third in Hastings, is summoned to God, whereby the gift of these three prebends belongs to our lord the king our father, whom we neither can nor dare request on our own behalf, concerning that or other needs, as you know, my lady, we entreat your highness (*ma dame, priom votre hautesse*), to be pleased to be of help towards the said our lord and father, as if on your own behalf, my lady, and that for your sake he may be willing to advance the said clerk to the prebend of Rypon, inasmuch as he often promised him advancement. Very dear lady, may our Lord preserve and keep you by his power for ever.

"Given at Wy, the 2d day of July."

Soon after the king's anger towards his son was, in some measure, appeased, and a hundred marks (66*l.* 13*s.* 4*d.*) were, by the royal command, paid to Walter Reynolds to meet the expenses of the prince.* Of these expenses, some notion may be formed, when we read of the large supply of spices and groceries which was delivered for the use of the prince's household out of the king's wardrobe:—

"Wax to Sir Walter Reynaud and William de London for the expenses of the household of the Lord Prince of Wales—1727 lb. Almonds, to the same, &c., 107 lb.; rice (rys), 200 lb.; sugar, 701½ lb.; electuaries (fruit jellies, &c.), 70 lb.; gingerbread (gingebr'), 3 boxes, of which 1 Indian, wt. 6 lb.; festucad? 2 boxes; ginger (zinzib'), 40 lb.; cytonal (candied orange or mint?), 3 lb; canell (cinnamon in powder was strewed on bread, or with fish), 21 lb.; galanga (an Indian aromatic) 1 lb.; round pepper, 44 lb.; long pepper, 12 lb.; nutmegs (nuc' muscat) 2 lb.; pickle? (gars, garus), 3 lb.; mace, 1 lb.; saffron (crocus), 7 lb.; fennel seed (grana fenili), 26 lb.; cummin (cyminum), 14 lb.; Malaga? figs (fic' Mallek, xv fraell), 15 baskets, 73 lb.; Malaga raisins (rasem Mallek), 6 baskets; turrill? mace (macem turrill), 26 baskets; turril figs, 2 baskets; dates (dattil, 1 bal), 1 bale, wt. 252 lb.; of currants (racem

* C. R. Mss. EB, 2042.

CHAP. VIII.

corinth) and cubebs (quibeb), though much was used by the king, none seems to have been given to the prince." *

Walter Reynolds. 1313–27.

Notwithstanding the exertions of the prince in favour of his servant, Walter Reynolds obtained no preferment, higher than the rectory of Wimbledon,† until the death of Edward I.

On the accession of Edward II. an inundation of preferments, secular and ecclesiastical, almost overwhelmed the ambitious son of a Windsor baker. He obtained, immediately, a prebend in St. Paul's cathedral, and in August, 1307, he was constituted Treasurer of the Exchequer. He retained the office of treasurer till the 6th of July, 1310, when the great seal was committed to his keeping.‡

Previously to his appointment as chancellor, Walter Reynolds had been elected to the see of Worcester, and was duly consecrated, at Canterbury, by Archbishop Winchelsey, on the 13th of October, 1308.

In the year 1311, the right reverend chancellor, as the king's representative, attended the council, which Clement V. had summoned to meet at Vienne.

From the Council of Vienne,§ we may date a new

* Liberat. Cere et specerie fact. per Rad. de Stokes cler. mag. garderobe. Anno 33, W. N. 1974, in Carlton, R. Mss.

† Hist. Epist. Wigorn. This place, wherever it may have been, is scarcely spelt in the same way by any two writers. It is generally supposed that Wimbledon, in Surrey, is meant, but Mr. Blaauw (Sussex Archæol. Coll. ii. 94) supposes the place to have been Wyberton, in the county of Lincoln.

‡ The terms in the Roll recording this event, make it doubtful whether he was invested with the office of chancellor, or with that of keeper. The oath he is described as taking is "de officio Sigilli illius fideliter exequendo," which would seem to apply more directly to the latter. (Rot. Claus. 4 Ed. II. m. 26.) In subsequent records, however, he is certainly called chancellor. (Madox, Excheq. ii. 48 a. Foss, iii. 289.

§ Three hundred bishops attended the Synod of Vienne, but

era in the Western Church. The dynasty—if we may so style it—of Gregory VII. which had been so ably supported by Alexander III. and the two Innocents, may be said to have terminated with Boniface VIII. The Babylonish Captivity had now commenced, and for more than seventy years, not Rome, but Avignon, was to be the metropolis of the Western Church. Clement V. was a Frenchman by birth—a subject indeed of the King of England, but the slave of the King of France. He descended from the dictator's throne, and sought to retain his power, not by the fulminations of excommunication and interdict, but rather by the arts of a wily politician, manœuvring, with success, where he had ceased to command. At the Council of Vienne, Reynolds heard the late pope accused of heresy, and he saw his murderers—for such, in point of fact, they were—permitted, at the mandate of the French monarch, to escape, if not with impunity, yet with a penance which they did not pretend to perform, and the imposition of which they regarded as a jest. Here the Bull *Clericis Laicos*—for which Winchelsey, still Archbishop of Canterbury, had rendered himself odious by attempting to enforce it in England—was abrogated, to please the sovereigns of the West; and here, too, another Bull—*Unam Sanctam*—to gratify the King of France, was explained away. Here the order of the Temple was for ever abolished, and the precedent was set, which was not thrown away upon the English, when, at a later period, it was determined to abolish, not one, but all of the monastic orders. Crimes

none of the Oriental bishops were present, and the council was never acknowledged by the Eastern Church. Modern Romanists regard it as the fifteenth general council, but it was not styled œcumenical by Platina, Blondus, Trithemius, the Synod of Florence, or Contarenus.

CHAP. VIII.

Walter Reynolds. 1313–27.

were laid to the charge of the Templars, of a character perfectly monstrous; and although the accusations may not have been entirely without some foundation, in regard to individual cases, they were often false, and always exaggerated. But the vocation of the Templars was no longer a requirement of the Church, and, therefore, their wealth excited the cupidity of the sovereigns, while they failed to find defenders among the people. The pope admitted, that, in abolishing the order, he was guilty of an act of injustice; and the act of injustice was defended, because it was impolitic to stand opposed to the will of the King of France. The announcement of such a principle might have roused the ghost of Hildebrand; and while the French applauded the sentiment of Bertrand de Goth, the Italians, whether Guelf or Ghibeline, were more than ever impressed with a feeling, that none but a Roman was fitted to rule the Church, or to direct the energies of Christendom.

The proceedings against the Templars in England have been already noticed in the life of Winchelsey.

During Reynolds' absence at Vienne, the Master of the Rolls had the custody of the Great Seal, which was restored to the Chancellor on his return to England. But he did not retain it long. The disputes between the king and the Parliament were now at their height; and Edward had been compelled to devolve upon a Committee of Parliament all the ordinary functions of government. The Great Seal was taken from Reynolds, as a friend of the king, in December, 1311, soon after his return from Dauphiny; and although it was returned to him in October, 1312, it was under restrictions. It was probably a compromise between the parties at variance. We should, perhaps, be correct in saying, that the Great Seal was placed in commission.

As a concession to the king, the Bishop of Worcester was the lord keeper or chief commissioner, but no writs were sealed except in the presence of the Master of the Rolls and two clerks in chancery.* It must be mentioned, to the credit of Reynolds, that, when the king was reduced, during this controversy, to much distress for want of money, the Bishop of Worcester advanced him a thousand pounds; according to the value of money in those days, a very considerable sum of money.

The reader will remember that, between the death of Gaveston, and the fatal defeat at Bannockburn, there was a short reaction in favour of the king. In the Parliament assembled at Westminster, the barons made a formal submission; and the king granted a charter of indemnity to all who desired it. A fifteenth of all movable goods was voted for the exigencies of the State; and when the Parliament was dissolved, satisfaction and joy at the restoration of peace between the high estates of the realm were universally expressed.†

It was during this short interval of reaction, that the see of Canterbury became vacant by the death of Winchelsey. Winchelsey died in May, when the king and queen, having availed themselves of the lull in the political world, had passed over to France to be present at the coronation of Louis X. Notwithstanding the absence of the king, the Chapter of Canterbury proceeded to elect an archbishop, and their choice fell upon Thomas Cobham, a man who went by the name

* Rot. Claus. 4 Edw. II. p. 2, m. 2.

† The charter of pardon is preserved among the public records, and there are attached to it the names of nearly 500 lords and gentlemen, who took out their pardons. This shows a conviction, on their part, that the king had regained his authority.

CHAP. VIII.

Walter Reynolds. 1313–27.

of "the good parson." He was of illustrious birth and of great attainments. He held two canonries, one at St. Paul's, the other at Wells; he was also precentor of York, subdean of Salisbury and archdeacon of Lewes; but his chief distinction was that he had been, at one period, Chancellor of Cambridge.* Cobham was at Paris † when the election took place; and, as soon as he was apprised of the fact, proceeded to the papal court to have the election confirmed.

The king insisted upon the appointment of Walter Reynolds. He secured his object, by making application to the compliant Clement V. to annul the election of Cobham; and then, to *provide* for the see of Canterbury by nominating Walter, Bishop of Worcester. Edward was oblivious of laws, principles, and precedents, when he had an object to attain. It was in accordance with the policy of Clement, to meet this application on the part of Edward. Claims which had been disputed by Philip had been conceded by the King of England; and the more he dreaded the anti-papal feeling which was displaying itself in France, the more desirous he became of conciliating the friendship of Edward. The Bull for the translation of Walter was easily obtained.‡ It was published at Canterbury, on the 4th of January, 1314, and Reynolds immediately prepared for the splendours of his enthronization.

The king with his court attended. Edward was becoming more powerful, as if he were elevated for a moment, to make his fall the more severe. Although

* An account of Cobham is to be found in Anglia Sacra, i. 533.

† "Pro regni negotiis." Adam Murimuth. He had probably sided with the Barons.

‡ Fœdera, ii. 430. The Bull is too long for transcription, but it is worthy of perusal.

mourning for the death of Gaveston, he had triumphed over the barons;—the queen was not yet his enemy; and an increased army was gathering round his standard, to march, as they expected, to victory over the Scots.

The splendours of an enthronization have been described in the life of Winchelsey, and we need only add here, that Archbishop Walter was a man so fond of pomp, that the ceremonial was performed with undiminished magnificence.

Walter, the son of the baker of Windsor, was now the first man in the kingdom, uniting in himself the two offices of Primate and Chancellor; and in the absence of any other favourite, expecting to rule the kingdom in the royal name. This was in 1314. His hopes, however, were, during this very year, dashed to the ground. It was now February; in the month of June the news arrived of the greatest defeat which the English had sustained since the Battle of Hastings. The Battle of Bannockburn had been fought and lost. The archbishop as chancellor immediately joined the king at York, where a Parliament had assembled. It was no time for inferior men to remain at the head of affairs, and Reynolds, who held his position less from his own merits than from the royal favour, resigned the Great Seal on the 5th of April, 1314; and with this act, it may be said, that his political life was brought to a conclusion.

It is impossible to describe the misery of the country at this time. The chivalry of England felt itself disgraced; and with a man worse than weak upon the throne, who thought only of his own pleasures, the nobles were as men without a leader. In the meantime, the most distressing famine ensued—a famine which lasted for three years. On the 20th of December a Parliament

CHAP. VIII.

Walter Reynolds. 1313-27.

was summoned to meet at Westminster. The primate attended. The regulations made to meet the present crisis were not the most judicious, but we obtain some curious statistics. The archbishops, bishops, earls, barons and others of the community of the kingdom, presented a petition to the king and the council; praying that a proclamation might be issued, settling the price of provisions in the manner following: because "oxen, cows, muttons, hogs, geese, hens, capons, chickens, pigeons and eggs, were exorbitantly dear, they prayed that the best ox not fed with corn, should be sold for sixteen shillings and no more; and if he were fed with corn, then for twenty-four shillings at most. The best live fat cow for twelve shillings; a fat hog, of two years old for three shillings and four pence; a fat wether, or mutton, unshorn for twenty pence, and shorn for fourteen pence; a fat goose for twopence-halfpenny; a fat capon for twopence; a fat hen for a penny; two chickens for one penny; four pigeons for a penny, and twenty-four eggs for a penny. And those who would not sell the things for these rates, were to forfeit them to the king." *

Attempts to mitigate the evil by temporary enactments proved to be made in vain. "The scarcity of provisions still increased; a quarter of corn was sold not long after for twenty shillings, and barley for a mark; the sheep were also mostly dead of the rot, and, corn being so very dear, hogs and poultry could not be kept, whereby all manner of fresh meats became so scarce, that the king, going to St. Alban's in November this year, had much ado to get bread to sustain his family." †

The archbishop, unlike his immediate predecessor,

* Parliamentary Hist. i. 151. † Ibid. i. 152.

endeavoured to render his powers, as archbishop of Canterbury, subservient to the interests of the Crown; until, at a later period of his episcopate, the Crown seemed to impinge upon the rights of the Church. He laboured, with success, to obtain from the clergy those subsidies which the necessities of the State demanded; and he was relieved from the difficulty of doing so, by the virtual revocation of the bull *Clericis Laicos*. We must, also, do justice to Archbishop Walter, by stating, that he employed the influence, which he exercised in the court of Clement V., to relieve the country from certain inconveniences, which resulted from the frequency of appeals to the Roman curia. There does not appear to have been any private reasons for his seeking to obtain fresh powers from the papal court; and, therefore, we are justified in supposing him to have been actuated by a public spirit, when he obtained eight Bulls, which enabled him to decide and act in certain cases, in which, of late years, the archiepiscopal authority had been superseded by the papal. He had some difficulty in carrying his point, but his treasury was full; and from the fulness of that treasury, his riches flowed in copious streams upon the influential persons in the papal court,—to say nothing of the pope himself:—

Placatur donis Jupiter ipse datis.

The Bulls are of importance, as they lay open to us some of the powers, which the court of Rome claimed at that time to exercise in England; though the legality of the pretended powers was often denied.

By the first Bull,* the suffragans of Canterbury were inhibited from holding visitations for three years, in order that the metropolitan might, without impedi-

* Wilkins, ii. 434.

CHAP. VIII. Walter Reynolds. 1313–27.

ment, conduct a visitation of the whole province. The legality of such a decree might have been disputed, but of the legality of the second * Bull there could be no doubt; it gave the archbishop authority to visit all religious houses, including those which had privilege of exemption. The third † enabled him to restore two hundred irregular persons; by virtue of the fourth ‡ he might dispense with a hundred clerks who were under age to hold benefices. The fifth Bull § authorized him to absolve a hundred men who had laid violent hands upon any clerks, and who without this privilege could only have been absolved by the pope. The sixth Bull ‖ permitted him to dispense with the canons against pluralities, and give forty clergymen a faculty to hold more than one benefice with cure of souls; by the seventh ¶ he had the liberty of reserving for his own disposal any single ecclesiastical preferment belonging to any cathedral or collegiate church visited by him. By the eighth ** Bull he had the privilege of giving an indulgence for all crimes committed within a hundred days last past, to any persons who should show themselves penitent, and confess to him in his visitation.

The archbishop proceeded immediately to hold a visitation of the diocese of Lincoln, and had already commenced operations in the diocese of Norwich, when he was summoned to the royal presence. The indignation of the prelates and barons having been again aroused by the misgovernment of the imbecile King; Edward sought advice from his old friend, who undertook to effect a reconciliation. In mediating between

* Wilkins, ii. 435. † Ibid. 436. ‡ Ibid. 434.
§ Ibid. 433. ‖ Ibid. 433. ¶ Ibid. 431.
** Ibid. 435.

the offended barons and the king, the archbishop exercised a wise discretion.

His visitation was a second time interrupted by the death of Clement V., when the powers conceded to him by the eight Bulls came to a conclusion. Archbishop Walter's influence, however, at the Roman Court was sufficient to obtain a renewal of those powers from John XXII.* The Bishop of London alone resisted the illegal and unconstitutional powers, which the archbishop attempted to exercise, on the authority of the pope. But, in doing so, he was put to so much unprofitable trouble and expense, that the other bishops succumbed. They were chiefly engaged in secular pursuits; and so long as they received their rents, they had little sympathy with the other clergy.

The archbishop showed his independence, and a consciousness of the power he possessed through his purse with the papal authorities, in a circumstance which soon after occurred. On the vacancy of the see of Winchester, by the death of John Sendale, in 1319, the king recommended, as his successor, Henry De Burghersh, or Burghwash; but the chapter elected a member of their own body, Adair, whom Harpsfield describes as a man of learning. The dispute was referred, for arbitration, to the pope, and he decided the matter by providing for his own nuncio in England, Reginald Asser.† Archbishop Walter sided with the king, and refused to consecrate the papal nominee. He so far, however, yielded at last, that he permitted

* In 1318, John XXII. published the seventh book of the decretals, and instituted the festival of Corpus Christi.

† Reginald Asser was a canon of Orleans. He was consecrated on November 16th, 1320, at St. Alban's Abbey. His episcopate was a short one, as he died, according to Wharton, on November 12th, 1323, at Avignon.

CHAP. VIII.

Walter Reynolds. 1313–27.

the consecration to be performed by the Bishop of London.*

Antecedently to this, in the year 1315, the celebrated statute, *Articuli Cleri*, was passed at a Parliament in Lincoln. To this statute I shall have occasion to refer more particularly on another occasion, and as Reynolds was not individually concerned in its enactment, I have only to mention here, that it now became the law of the land.†

It is to be observed, that, during all this period, Archbishop Walter was a steady supporter of the king. He did not take part with the barons, when, coming armed to the Parliament of Westminster, in 1320, they compelled the king to banish the Despensers, and to confiscate their estates. On the contrary, in the course of the year, the archbishop convened a provincial synod; to the judgment of which the king, acting on his advice, submitted the case of the Despensers. Through the influence of the primate, a judgment was given, which declared the sentence pronounced upon the Despensers by the Parliament to have been illegal, having been pronounced without the consent of the Lords Spiritual. They petitioned the king to revoke the sentence—a petition with which he was zealous to comply.‡

* Stephen de Gravesend was nephew to Bishop Richard de Gravesend, and was educated at Merton College, Oxford. He was consecrated Bishop of London, on January 14th, 1319. He is chiefly distinguished for the loyalty with which he adhered to Edward II. under his most abject circumstances. X. Script. 2045. Ang. Sac. i. 367. Walsingham, 129.

† The preamble may be seen in Gibson's Codex, 7. The articles and answers are given in their proper places, according to the matter and subject of each.

‡ Thomas De la More, 50.

The people of England had always been accustomed to regard the king as the father of his country, and whenever he was acting with a view to the general welfare, they might be sometimes induced to submit, even to acts of despotism. But whenever a king was seen to employ the resources of his country simply for his own amusement or advantage, they were ready to regard him as a feudal lord, who, having violated his duty to his subjects, had no longer any claim upon their allegiance. It was on this ground, that Henry III. was always unpopular, and that the barons could secure the support of the people in their aggression upon the Crown; while the despotism occasionally shown by the patriotic Edward I. was tolerated. This is a fact, which explains much in the history of our various revolutions. The discontent against the wrong-headed voluptuary now on the throne was increasing; the popular feeling was strongly displayed, when the honours of a saint were shown to Thomas of Lancaster.

But, for a season after the death of Thomas of Lancaster, the Government was strong enough to put down insurrection; and the calm preceding a storm now prevailing, Archbishop Walter thought fit to legislate for the Church.

The only synod of more than temporary importance, which was held by Archbishop Walter, was that which is called the second of Oxford.* In this council, or convocation, directions are given for the examination of candidates for holy orders; and an admission into holy orders is to be refused to simoniacs, manslayers,

* In Wilkins, ii. 675, and Spelman, ii. 488, a collection of eight constitutions are attributed to Reynolds, but Johnson, ii. 330, says, incorrectly.

CHAP. VIII.

Walter Reynolds. 1313-27.

excommunicates, sacrilegious persons, incendiaries, falsaries, or any persons under canonical impediment.

The state of society which required such a regulation as this, must have been deplorable; and the oppressions, to which men were subjected, became more apparent, when, in the class from which the clergy were selected, it was possible that such offenders might be found, and not only found, but so tolerated, that they might expect, in the absence of express legislation, to obtain a prominent position in the Church.

It is, in these days, worthy of remark, that clergy ordained in Ireland, Wales, or Scotland, were prohibited from officiating in England, except upon the production of letters dimissory or commendatory from their respective diocesans. Provision was made against the prevalent neglect of confirmation. The fifth canon runs thus :—

"Let the linen cloths, corporals, palls, and other altar-cloths, be whole and clean, and often washed by persons assigned by the canon for this purpose, out of regard to the presence of our Saviour, and of the whole court of heaven, which is undoubtedly present at the sacrament of the altar while it is consecrating, and after it is consecrated. Let the words of the canon be fully and exactly pronounced, and with the greatest devotion of mind; with an especial regard to those (words) which concern the holy sacrament. Yet let not the priest, through affectation, make the office nauseous to the hearers, and take away the marrow and fatness of their devotion, for dead flies destroy the sweetness of the ointment." *

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* *Constitutiones provinciales domini Walteri Reynold, Cantuar. archiepiscopi, editæ in concilio, Oxon. Anno Dom.* MCCCXXII. Ex Lyndw. Provinc. append. p. 39, seq. To the foregoing title Wilkins adds this note :—

"Constitutiones has alio tamen ordine dispositas ac paululum

An order was also made at this council for the publication of banns of marriage, which publication was to be made three times on the Lord's Day, or on some great festival. The clergy were also prohibited from receiving confession from women in private.

In the controversy, which, at this time, prevailed between the authorities of Oxford and the mendicants, the archbishop, as might be conjectured, took part with the friars. That he was interested in the pursuits of learning, if not a learned man himself, is shown by his procuring, at a synod at Lambeth, an endowment for a professor of Hebrew. The first professor of Hebrew, in the University of Oxford, was John of Bristol, a converted Jew; and the endowment of the professorship was created by a tax, throughout the province of Canterbury, of a farthing in the pound, or, as some say, a penny in every mark.*

The University was, at this period, in a very unsatisfactory state, by the introduction, among its leading members, of certain neological opinions, involving heresies of a very grave character.†

Although Archbishop Walter was, naturally, in the early period of his episcopate, desirous of serving his friend and patron the king, he acted with spirit and

aliunde auctas, ex MS. Cott. Otho, A. 15, fol. 133 b. Simoni Mepham archiep. Cantuar. adscripsit clar. Spelmannus; quas et MS. Lambethense, n. 17, eidem archiepiscopo acceptum refert. Codex Eliensis, n. 235, autem Stephano (Langton) archiep. Cantuar. attribuit. Lyndwoodus, ejusque commentator Johannes de Atona a Waltero Raynold archiep. Cantuar. eas editas esse asserunt, quorum opinionibus subscribens ad A.C. MCCCXXII. collocavi."

* Wood, Annals, i. 401. Harpsfield, 14, c. 28.

† These are given in Latin, in Wood, Annals, i. 386, and are translated by Collier, iii. 10.

CHAP. VIII.

Walter Reynolds. 1313-27.

with sound judgment when an attack was made upon what were then thought the liberties of the Church, in the year 1323. In the parliament of that year, Adam Orlton, Bishop of Hereford, was accused of high treason. He was accused of having aided and abetted the king's enemies, of having furnished them with arms, and even of having appeared with them on the field of battle. Speed says, that he supported the Mortimers in their risings in Wales. If this were the case, the statement is important, as showing his early connexion with that family; but of its correctness we may fairly doubt. This was the first occasion upon which a prelate of the Church of England had been impeached before a lay tribunal; and, whatever we may now think of the subject, it appeared to Reynolds, and his com-provincial bishops, to involve a principle, the infringement of which it was their duty to resist. Hitherto, as we have seen, the superior clergy, who occupied the chief places in the State as legislators, ministers, and lawyers, were enabled, in all disputes with the Crown, to take a stronger position than the lay barons, the sacredness of their character being to them a more powerful defence than a coat of mail. When bold measures became necessary, they stood forward, the boldest among the bold, because their sacred character, if it did not entirely secure for them impunity, so far protected them, as to render immediate action against them, on the part of the Government, a thing impossible. But, if the prosecution and punishment of a bishop were to become as easy as that of a lay peer, the pre-eminence of ecclesiastics in State affairs would soon be brought to a termination. Although, therefore, the bishops in general had no sympathy with Adam Orlton, and would have voted against him—

speaking of the majority—under a proceeding instituted in a spiritual court, they determined, all, or nearly all, to stand by him on the present occasion.

When the Bishop of Hereford was placed upon his trial and called upon to defend himself, he refused to make answer without the licence of his metropolitan and the consent of his com-provincial bishops, first obtained.

When the Bishop of Hereford in respectful, but firm language, had thus made his stand, the archbishop and the other bishops instantly rose to support him. His metropolitan, in the name of all the prelates, entreated the king to deliver the bishop to the custody of the archbishop, until he was prepared to substantiate the charges which were brought against the prelate.

This request was sufficiently reasonable, and it was granted. But when the bishops required also, that the charges should be brought against their brother of Hereford, in the spiritual courts and before a spiritual judge, the king was strong enough to assert the rights of the Crown, and of the courts, which, with Parliament, were rising into importance. He was supported by his barons, and evinced considerable determination of character, which is worthy of remark, as it renders his subsequent conduct, and the conduct of the barons in deserting his cause, the more extraordinary, if circumstances had not transpired between this time, and the time of his deposition, which are involved in mystery.

Adam Orlton * was now summoned before that court, which became about this time, or not long after, known as the court of king's bench. It was agreed

* Adam Orlton is described by a contemporary, Thomas de la More, as wise, subtle, and learned, but wilful, presumptuous, and factious, in the extreme.

CHAP. VIII.

Walter Reynolds. 1313-27.

by the bishops, that the summons should be obeyed, and, for the first time, a bishop of the Church of England, stood, a criminal before the judge, in a civil court.

He had scarcely made his appearance, however, when the proceedings were interrupted by the entrance of the archbishop. He came, supported by the whole hierarchy of England and Ireland. The archbishops of York and Armagh, with their crosses erect, as representing their respective churches, and all the bishops who had been able to reach London in time, arrayed in their pontificals, and escorted by their retinues, entered Westminster Hall, in solemn procession. They demanded the release of the Bishop of Hereford; and having threatened excommunication by bell, book, and candle, upon all who should oppose them, they carried him back in triumph to his inn.

The king, enraged—as such characters are—by any opposition to his will, and supported by his Government, acted now with considerable spirit. He summoned a council at Westminster, to consist of the laity only, as from capital trials the clergy claimed exemption. He here caused the criminal charges against the Bishop of Hereford to be produced. A committee was formed to report on the truth of the allegations, and they brought in a verdict of guilty against the bishop. The king approved of the report, and immediately proscribed the prelate, and sequestered his property, applying the revenues of the estates to his own purposes.

Here, however, the influence of Reynolds with the king was evinced, in his being able to effect a temporary reconciliation between him and the offending prelate, by which all further proceedings were quashed.

Adam Orlton was the first bishop of the Church

THE INSTITUTE OF MEDIAEVAL STUDIES
ST. MICHAEL'S COLLEGE

of England, from the time of Augustine, who was subjected to the judgment of a lay court.*

This conduct, however, on the part of Edward, was never forgiven by the prelates; and to obtain their concurrence a few years after to the deposition of the king, one of the charges brought against him was, "that he destroyed Holy Church, and the persons of

* Adam de Orlton was born at Hereford, was treasurer in 1326, was ambassador at Rome, 1327, to obtain a dispensation for the marriage of Edward III. then prince, and Philippa. He was consecrated to the see of Hereford, May 22, 1317, translated to Worcester, September 27, 1327, and to Winchester, December 1st, 1333. Translations had only just then become common. He was the third English bishop,—Stigand, and Poore, Bishop of Sarum, being the others,—who had been translated a second time. This gave occasion to the following verses, referring to the patron saints of the Churches to which he was elected; Thomas of Hereford, Wolfstan of Worcester, and Swithun of Winchester:—

"Thomam despexit; Wolstanum non bene rexit;
Swithunum maluit; Cur? quia plus valuit."

He sided with the queen against the king. In the life of Stratford, Chapter X. of this book, the part he took in compelling Edward II. to abdicate will be mentioned. When the standard of rebellion was first raised by Queen Isabella, the she-wolf of France, he is said to have vindicated the proceeding in a sermon preached at Oxford. He took for his text, 2 Kings iv. 19. "My head, my head acheth." He maintained, that the head of the kingdom being disordered, the members, independently of him, might provide for their own safety. He is also said to have travestied the ambiguous saying of an Archbishop of Strigonium, in reference to Gertrude, wife of Andrew, King of Hungary; for being consulted with regard to the murder of Edward II., he is said to have answered in this line:—

"Edwardum occidere nolite timere bonum est,"

which has opposite meanings, according to the punctuation; but this story is probably apocryphal. Edward III. disliked the man, but evidently was afraid to take strong measures against him, lest he should make disclosures which the king desired to prevent. Orlton died, July 18th, 1345.—Capgrave, 192. X. Scriptores, 2763-6. Thorn, 2057. Walsingham, 119, 121, 133. Alberici Chron. 473.

CHAP. VIII.

Walter Reynolds. 1313–27.

Holy Church, putting some in prison and others in distress."

The archbishop was not a narrow-minded person, as is shown in the advice, which he gave to the king with reference to Irish affairs. The king was advised to suppress the smaller bishoprics, and to merge them into larger ones, so as to make the bishoprics in Ireland, by the increase of their incomes, worthy of the ambition of the superior clergy in England; and English prelates were thenceforth appointed to Irish sees, to keep in check, by their opulence and influence, the turbulent population of that country.

Another measure adopted by Edward was, perhaps, a suggestion of his own mind, or of the monks of Westminster: he exempted them from episcopal jurisdiction, on the ground that Westminster Abbey was, in point of fact, only a royal chapel. The present primate would be the less likely to object to this arrangement, as he had obtained permission from the pope to visit, in his name, the exempt monasteries. So long as he carried his point, Reynolds was not particular as to the means he employed; and what is more remarkable, considering the times, he did not carry into private life, the feelings which influenced him in his public controversies.

William de Dene, in his "Historia Roffensis," gives an account of the frequently recurring disputes between the two metropolitans on the subject of bearing the cross. The Archbishop of York had accepted the office of Lord High Treasurer, at the time when it was resigned by Reynolds. On his attending Parliament at Westminster, he insisted on carrying his cross erect, for which he was excommunicated by the Archbishop of Canterbury. But it seems that little regard was paid to an excommunication under such circum-

stances; for not long after the archbishop officiated, though without the pallium, in Westminster Abbey. Reynolds, meeting the Archbishop of York soon after, in the Green Chamber, entered into conversation with him, apparently oblivious of the excommunication. The Bishop of Rochester gently reminded him of the inconsistency.

We now come to that part of the archbishop's life which, with our present sources of information, it is impossible to explain or understand. When the queen was in Flanders, preparing to invade her husband's kingdom, we find the Archbishop of Canterbury supplying her with money,* and we also find him joining her forces as soon as she had landed in England. There does not appear to be any reason for his turning against his benefactor, if we regard the circumstance from a worldly point of view. He had already obtained all that it was possible for him to obtain in Church and State; and if it were a mere calculation as to probabilities, there was no reason why a king who had defeated the barons under Thomas of Lancaster, should not have triumphed over the same parties when led by Mortimer and the queen.

Of the extraordinary revolution, which led to the deposition of Edward II., we shall have to speak more in detail, when we come to the life of John de Stratford. But whenever we touch upon this subject, it may be well to state, that we write under the impression that some great mystery was involved in the history of the unhappy Edward. What this may have been, has never yet been discovered; but perhaps, by the diligent search which is now being made into the archives of the country, it may be hereafter revealed. The extreme

* Walsingham's words are, "Alii vero et *præcipue* W. Cantuariensis Archiepiscopus sibi ministravit."

CHAP. VIII.

Walter Reynolds. 1313-27.

hatred of the queen, which commenced before she degraded herself by her intrigue with Mortimer; the conduct of the prince himself, the council, and the parliament; the adherence to the queen's party of the king's brother and other relations; the absence of popular feeling, except in London; the secret, if there were a secret, being known only to the court; the allowance and consideration of Edward III. towards his mother, as if there were palliating circumstances in her case; the further fact, that the king, whose good nature placed, all who approached him, under obligations to him, died without a single supporter or friend; the unresisting childishness with which Edward submitted to unheard-of insults;—all these things require, and demand, explanation. It is impossible to conceive the depths of moral degradation into which a man, weak in intellect, sensual, and self-willed, may not be led or hurried; and it is evident, that Edward II. only yielded to his enemies, under the conviction, that they had him, through some fatal secret, completely in their power.

We forbear, under these circumstances, to pass any judgment upon Walter Reynolds for his ingratitude.

What renders the conduct of Reynolds the more inexplicable, is the fact that, shortly before the queen's arrival in England, we find him acting as the king's adviser. It was to him that the queen addressed her letter, in answer to the king's command, that she should return to England. There is a letter in existence, in which Edward excuses Reynolds from obeying a summons to the pope, on the ground, that he required his services at home. About six weeks before Isabella's landing in England, the king issued orders to the two metropolitans, requiring them and their suffragans in their respective dioceses to contra-

dict the misstatements and falsehoods against him, propagated by the queen and her adherents. The desertion of Edward on the part of Reynolds, was, therefore, sudden; and there must have been some special, though, as yet, undiscovered, reason for the archbishop's acquiescence in the revolution.

News arrived in London, that the queen had landed on the coast of Suffolk, on the 10th of October, 1326.* The king, on receiving the intelligence, immediately fled from the metropolis. The Bishop of Exeter,—who had accompanied the queen to France, but had returned to England, and had offered his services to the king, when he became acquainted with the hostile intentions of Isabella,—was now left in charge of the capital.

The Londoners, already discontented with the Government, supported the queen. The archbishop, a weak man, was perplexed as to the course to be pursued.† The queen's forces were approaching, and a meeting of the bishops was held at Lambeth, at which the primate was present. It was proposed that an attempt should

* For the date, see Rot. Pat. 20, Ed. II. M. 12.

† At this point of Reynolds' history I follow the narrative of William de Dene, Ang. Sac. i. 366. Another account of the proceedings may be found in Walsingham, 124, and also in his Ypodigma Neustriæ. The following notice of the events occurs in the Chronicle of London :—

"And as the kyng was at his mete, tydynges comen to hym therof: and anoon the kyng, the Spensers bothe the fadir and the sone, the Erle of Arundell, and Maister Walter Baldok, fledden into Walys; and the king left Maister Walter Stapilton, Bisshop of Excestre, to have the governaunce of the citee of London; whiche bysshop axed to have the keyes and governaunce of the citee be vertu of the comission: where thorugh debate aroos betwen hym and the citee, so that he was taken and led to the standard in Chepe, and his hede was there smyten of, and his hede sette in his right hand: and too of hyse squyers were beheded the same tyme, that is to sey the xiiij. day of Octobre, the yere of oure lord a m'cccxxvj^{ti}."—*Chronicle of London*, ad ann. 1325.

CHAP. VIII.

Walter Reynolds. 1313-27.

be made to effect a reconciliation between the queen and the king; and the archbishop suggested that they should meet on what might be called neutral ground—St. Paul's Cathedral. The archbishop was willing, himself, to go in his barge to the city, and to confer upon the subject with the citizens. From this course he was dissuaded by the Bishop of Rochester, who stated that the bishops were in great disfavour with the people. Their passions were especially inflamed against the primate himself, who had been the tutor, friend, and adviser of the unpopular king. The bishops adjourned the meeting till the next day. It was now fully determined, that the bishops should act as became them, and invite the citizens of London to unite with them in effecting a reconciliation between the two factions. But who was to go? The Bishop of Winchester offered, but no one would venture to accompany him.

Information was received at Lambeth, on the 15th of October, of a meeting held at the "Gyld Hall," of a violent and revolutionary character. Soon after, it was reported, that the Convent of the Friars Preachers had been attacked. The king's party were there, including the Bishops of London and Exeter. There was treason within the camp, and the convent was taken by the citizens. The Bishop of Exeter fled to St. Paul's. The mob followed him. They attacked him, beat and wounded him, and then dragged him to the great cross "in Chepe," and there they murdered him.* The archbishop, with his attendants, fled from

* For an account of the Bishop of London, Richard Gravesend, see supra, p. 373. The Bishop of Exeter was Walter de Stapeldon. He was born at Annery, the seat of his family, in the parish of Monkleigh, Devon, being the son of William de Stapeldon and Mabella his wife. He became professor of canon law at Oxford. In

Lambeth, and he sought his safety by joining the queen.

In revolutions, events succeed one another with startling rapidity. The revolution is generally accom-

In the year 1319, he was lord high treasurer, and at this time he gave offence to the citizens of London, which was never forgiven by them. He insisted that the justices in eyre should sit in the City of London; on which occasion, because the citizens had committed various offences, they were heavily punished by the loss of their liberties, by pecuniary mulcts, and by bodily chastisement. In May, 1325, he accompanied the queen and the young prince, afterwards Edward III. to France. He did this at the request of Edward II. to whom he remained faithful to the last. He was rector of Aveton Giffard, precentor of Exeter Cathedral, and chaplain to Pope Clement V. when he was elected to the see of Exeter. He was consecrated at Canterbury on October 13, 1308. The account of his death is given in the text. He was a munificent prelate. He not only complied with the ancient custom of his predecessors in leaving one hundred oxen to the see, forty to work the farms in Devon, thirty-three for those in Cornwall, and thirty elsewhere; but he added another hundred oxen, with directions that, on his anniversary, one hundred poor should then be fed in the hall of Exeter Palace, or at its outer gate. His books were valued, at his death, at 201*l.* 10*s.* 6*d.* They had relation, chiefly, to Holy Scripture and the canon law. In his chamber were found 1,006 florens "de agno," 4,000 florens "de Florencia et unus florens *de regina*," and in ready money, "pecuniâ numeratâ," 801*l.* sterling," "in platis argenteis" to the value of 515*l.* His rings amounted to ninety-one. One was broken, three were handsome, the rest ordinary, value unknown; but the pontifical and court rings "tempore mortis defuncti fuerunt Londini deprædati." In the cellar there was a pipe and a half full "de vino Warnath." Soon after his consecration, he applied himself diligently to the rebuilding of his cathedral. The work was slow, but he obtained liberal donations from all parts of the diocese. He prepared a large stock of materials; he vaulted a part of his choir; he glazed several windows; he formed a gorgeous canopy over the silver high altar; and to him is assigned the erection of the beautiful sedilia at the south side of the sanctuary. He obtained the power of holding pleas of hue and cry in the lands, tenements, and fees of the bishopric, in the county of Cornwall. He founded and endowed

CHAP. VIII.

Walter Reynolds. 1313–27.

plished before the irresolute believe it to have commenced. When the king fled from London, he proceeded to the neighbourhood of Newham.* On the 14th and 15th he was at Tintern. On the 16th he was at Stiquil Castle. On the 27th he was at Cardiff. Here he seems to have shown some vigour, and took measures for covering his retreat, and for raising troops.† But even the hostile feelings of the Welsh against the English could not rouse them to take part with the unpopular and powerless king. It is unnecessary to recount all the wanderings of the fugitive. It is sufficient to say that at Neath, near Swansea, at which place he concealed himself, he gave up all hopes of repelling his enemies by force of arms. He heard that the elder Despencer, ninety years of age, had been executed at Bristol. The younger Despencer and Baldok were secreting themselves in the woods near the castle of Llantrissan. On the 10th of November, as a last resource, he issued at Neath a safe-conduct for Rees ap Griffith, the Abbot of Neath, Edward de Bohun, and John de Harsik, to enter into negotiations with the queen.‡ In the course of this week, Henry of Lancaster, by bribing the natives, got possession of Despencer and Baldok; and on Sunday the 16th of November, Edward came forward and voluntarily surrendered to his cousin. He was removed to Monmouth; and there, on the 20th of November, he delivered up the Great Seal to Sir William le Blount, by whom it

Hart Hall and Stapeldon's Inn at Oxford, afterwards consolidated into Exeter College, and a grammar-school at Exeter. Ang. Sac. i. 366. Walsingham, 124. Wood's Oxford. Monast. Dioc. Exon, 306. See also Fœdera, ii. 684. For the account of benefactions, see Oliver, 54 et seq.

* Pat. Rolls, M. 12.

† Rot. Pat. Edw. II. M. 7.

‡ Fœdera, ii. 647.

was handed over to the queen at Martley, in Worcestershire, on the 26th.

The queen employed it, to summon a Parliament to be held at Westminster before the king, if present; if not, before Isabella, the queen consort, and Edward, the king's son.

The Bishop of Rochester, divining what the course of proceeding would be, endeavoured to persuade the archbishop not to attend. But he argued to no purpose, for it was said of the archbishop, *plus timet Reginam quam Regem Cœli.*

The Parliament assembled on the 7th of January, 1327. People were not left in doubt as to its object and intention. Six articles were drawn up, in which the king's misdeeds were stated; and Adam de Orlton, Bishop of Hereford, put the memorable question, Whether King Edward the father, or Edward his son, should reign over them.

Before the question was decided, the articles of impeachment were conveyed by a committee to King Edward, then a prisoner in Kenilworth Castle, who had no option but to give his royal assent to his deposition.*

To the coronation of the young king during his father's lifetime the Archbishop of York, and some of the other bishops, refused their consent. But no memory of the past prevented Walter, Archbishop of Canterbury, from yielding to his present fears, and he not only officiated at the coronation, which took place at Westminster on the 25th of January, but he preached on the occasion, taking for his text, "Vox populi, Vox Dei."†

The text was chosen to show that he yielded to cir-

* Upon this subject more will be stated in Chapter X., The life of John de Stratford.

† Chron. Lanercost, 258.

CHAP. VIII.

Walter Reynolds. 1313-27.

cumstances, and did not himself suggest the proceedings, which he felt compelled to sanction. We almost rejoice to read, that the Londoners forced the archbishop and the bishops who had attended parliament to go to the Guildhall, and there swear to defend the rights and liberties of the city; and that the archbishop was insulted, maltreated, and trampled on as he left the hall. But the citizens of London were placable. The feasting was high at Westminster in honour of the coronation; and fifty dolia of wine, a donation of the archbishop to the city feast, enabled him to escape without further injury.

A despised old man, with a reproaching conscience, and with a heart which could not but bleed at the cruelties to which his pupil and master was now exposed, Reynolds had no courage to refuse the mandate of the queen to consecrate James Berkeley to the bishopric of Exeter. In doing this he gave offence to Pope John XXII., who, probably, under the weakness of the Government, had *provided* for the see. And so, all things seeming to conspire against him, Walter Reynolds, already infirm, sickened and died. His death took place at Mortlake on the 16th of November, 1327. He was buried at Canterbury, and the Bishops of Winchester and Rochester attended his funeral. His chapter spoke kindly of the archbishop, who was a benefactor to the convent of Christ Church. *Vir mansuetus et affabilis et divinorum celebrationi devotus.*

Among his benefactions there is a remarkable one, which may be mentioned in accordance with what has been already stated as one of the stipulations made by the Earls of Gloucester when performing the office of steward and butler in the archbishop's household. In the year 1326, the archbishop granted to the prior and

convent of Canterbury his manor of Caldecote, as a convenient place near Canterbury, to which the monks might retire to recreate themselves when they had been let blood, or were wearied with much labour. In the ordinances of Lanfranc* there is a whole chapter or decree devoted to this subject—Phlebotomy. A brother, with an itching arm, had to apply to the superior for leave to be bled; and the leave, except in cases of necessity, was not to be granted on festivals, when a large attendance was required in the choir. When leave was obtained, due notice was to be given to the cellarer; and those who were to have their veins opened were to make their appearance, at a given time and in a specified place. Certain ceremonies and formalities were to be observed. Then the blood flowed freely, and the bloodless monks retired to the manor of Caldecote.†

* Cap. 13. De sanguinis minutione. † Somner, 131.

CHAPTER IX.

SIMON MEPEHAM.*

Born at Meopham in Kent.—Educated at Merton College.—A Biblical Scholar.—A Canon Residentiary of Chichester.—State of Society in Chichester.—Elected to the See of Canterbury *per viam compromissi*.—Detained at Avignon.—Consecrated by Peter, Cardinal of Præneste.—Does homage at Lynn.—Particular in forming his Household.—Convenes a Synod in London.—Uses strong language in the Preamble to the Constitution.—Good Friday a Festival.—Feast on the Virgin's Conception.—Consideration of the Poor.—Hermits to be licensed.—List of Holidays.—Provincial Visitation.—Bishop of Rochester.—Controversy with Archbishop of York.—Visitation of Exeter.—Extraordinary proceedings of the Bishop of Exeter.—Mepeham retires to Slindon.—Controversy with the Monks of St. Augustine.—Retreat to Slindon.—Rest at Slindon.—Anger of John XXII.—Testimonials in favour of Mepeham.—The Suffragans join with him against the Monks.—The Archbishop exonerated.—Dies at Slindon.

CHAP. IX.

Simon Mepeham. 1328–33.

SIMON, the fifty-first Archbishop of Canterbury, derived his surname, if surname we may call it, from a pleasant village in Kent, now known as Meopham. Whether he is described as Simon of Mepeham—as the name of the place was written in his time—because this was his native place, or because he here received his educa-

* Authorities. Birchington; William de Dene; Thorn; Adam de Murimuth; Wilkins; Walsingham. The present and subsequent chapters were written, though not printed, before the appearance of Walsingham in the "Rerum Britannicarum Medii Ævi Scriptores." The remarkable facts brought to light concerning the authorship of the Chronicle which passes under the name of Walsingham, does not affect the value of the Chronicle itself. Even before the publication by Mr. Riley, the facts in the Chronicle were known to require confirmation from other sources, before reliance could be placed upon the statements contained in it.

tion, has been doubted. That a religious house at this time existed at Meopham, is clear: but it is equally clear, that this house was not a monastery, but only an almshouse. To a monastery a school would, probably, be attached; but it is not probable, that this would be the case with an almshouse—a retreat for men past work. When we add, that although the greater part of the present church was erected by the munificence of Archbishop Courtenay, yet a portion of the edifice, still existing, was the earlier work of Archbishop Mepeham; that it was the custom of the age to confer benefits upon the place of a man's birth; and that his brothers were called respectively Edmund and Thomas de Mepeham; we cannot doubt that we are correct in regarding Simon, Archbishop of Canterbury, as a native of Meopham.*

If there be an uncertainty as to the place of Simon's nativity, there is equal uncertainty as to the year in which he was born. We only know, that between the years 1290 and 1296 he matriculated at Oxford, and was admitted a member of Merton College.† Here he became, as Adam de Murimuth expresses it, *Magister in Theologia*, and as Birchington informs us, in due course, Doctor Theologiæ. The branch of theology to which he devoted himself was the study of the Sacred Scriptures, and he became a biblical divine.‡

* The name is spelt Mepeham in contemporary documents and contemporary writers almost in every instance. I am indebted for information relative to the Church of Meopham to the kindness of the Vicar, the Rev. J. Hooper.

† Wood, Colleges, 14.

‡ His eminence, as a student of Scripture, is mentioned in various public documents relating to his appointments: "Simonem de Mepeham, Ecclesiæ Cath. de Cicestr. canonicum, sacræ paginæ doctorem." Parker describes him as "Virum sacrarum literarum in illo, ut putebatur, sæculo peritissimus."

CHAP. IX.

Simon Mepeham. 1328–33.

The early life of the student was not marked by many events. He was ordained priest at Canterbury, on St. Matthew's day, 1297; his title being the rectory of Tunstalle in the Diocese of Norwich.* He held a Prebend at Llandaff; but he took up his abode at Chichester as a Canon Residentiary, where we shall hear of him again in the Life of Bradwardine.†

Why Simon Mepeham, a retired scholar, who had never mixed himself up with public affairs, should have been selected as the successor of Walter Reynolds, in the see of Canterbury, it is not easy to surmise. From the manner in which Queen Isabella speaks of him, in her letter to Pope John XXII., I think it probable that he was her chaplain and spiritual adviser. In giving her support to Mortimer, she inclined to that party just rising in the country, which desired to see the affairs of State conducted by laymen instead of ecclesiastics; and these would join with her in complaining of the lax state of morals in the country, which they attributed to a neglect of duty on the part of the many non-resident bishops. At all events, when the *congé d'élire* was demanded by the Chapter of Canterbury, the leave to elect was accompanied with a recommendation that the election should fall upon Simon the Canon of Chichester. The election was conducted *per viam compromissi*,—a mode of proceeding which has been described in the life of Winchelsey. Two monks were appointed, who added to their number five, and the whole chapter stood pledged to elect the person selected by the seven.

There had been little delay in these transactions. The *congé d'élire* was issued on the 30th of November, 1327, and the election took place on the 11th of December. Simon, however, being at Chichester,

* Reg. Winchelsey. † Ang. Sac. i. 18.

did not receive intelligence of his election till the 21st. On the 2nd of January, 1328, the king gave his assent.

As soon as the royal assent was obtained, Simon proceeded to Avignon. Everything had been done, so far, with the strictest attention to law and precedent; but, in the progress of papal encroachment, the confirmation of an archbishop had long been reserved to the pope, from whom also the pall was to be obtained.*

In the unsettled state of public affairs in England, the papal authorities were in no hurry to confirm the nominee of a *de facto* government; which, raised to power by a revolution, might, by a counter-revolution, be soon displaced. It was even debated at Avignon, whether the pope should not appoint to the vacant archbishopric by provision. The English government, meantime, acted with determination. Letter after

* I have gathered the history of the election, confirmation, and consecration of Mepeham, and of the difficulties encountered at Avignon, from the following documents. "Litera domini Regis Angliæ missa domino papæ pro electo et electione ecclesiæ Cant."—*Ex Reg. Eccles. Cantuar.* P. fol. 108, b. "Literæ domini Regis directæ singulis cardinalibus pro electo et electione expedienda."—*Ex Reg. Eccl. Cant.* P. fol. 108, "Litera capituli clausa domino papæ directa pro electo confirmando et consecrando."—*Ex. Reg. Eccl. Cant.* P. fol. 109. "Literæ domini Regis iterato missæ papæ pro celeri expeditione electionis et electi Cantuar."—*Ibid.* fol. 110. "Literæ domini Regis iterato missæ diversis cardinalibus pro celeri expeditione electionis et electi Cantuar."—*Ex Reg. Cant.* P. fol. 110. "Litera domini regis tertia missa domino papæ pro negotio electionis et electi Cantuar."—*Ibid.* "Literæ dominæ Isabellæ, reginæ Angliæ, domino papæ directæ pro negotio electionis et electi Cantuar." *Ex Reg. Cant.* P. fol. 111. "Litera magnatum Angliæ de communi consensu domino papæ directa pro expeditione negotii electionis et electi Cantuar."—*Ibid.* fol. 112. "Literæ papæ Johannis xxii. de confirmatione et consecratione Simonis de Mepeham in Archiep. Cantuar. et de pallii receptione."—*Ex. Reg. Eccles. Cant.* P. fol. 112.

CHAP. IX.

Simon Mepeham. 1328–33.

letter came to the pope, or to the cardinals, from the queen, from the young king, and from the Parliament which met at Northampton. It was stated not only that the Church of Canterbury was suffering from the delay, but that the public business of the country was retarded. The letter addressed to the authorities of Avignon by the Parliament, convinced the advisers of the pope that the queen still retained that popularity, which had rendered her triumphant over her unfortunate husband. Her beauty, her affable manners, and what she represented as her wrongs, had won for her the support of a large party in the country; and although the time was coming when, without a friend to protect her, she would be consigned to obscurity, she was now all-powerful in the State. The condition of affairs at Avignon was such as to render it inexpedient to exasperate the English government. The news had arrived of the successes of Lewis of Bavaria; and it was known, that steps had been already taken to elevate a rival to the papal throne. Still the pope hesitated, until at length the business was settled by the representatives of the convent of Canterbury. The monks of Christ Church not only wrote; they accompanied their letter with the sum of two hundred marks to pay the postage; and this had a wonderful effect in expediting the business in hand. A letter was addressed by John XXII., or in his name, sanctioning the past proceedings of the Chapter, and covering, by papal authority, any irregularities which might be discovered. On the 27th of May, 1328, the election of Simon Mepeham was confirmed; and on the 5th of June the archbishop elect was consecrated by Peter, Cardinal of Præneste. On the 9th of the same month he received the pall.

The archbishop had joined with his Government in

remonstrating against the impediments to his consecration, which occurred at Avignon, and declared the unnecessary delay to be injurious to the interests of the public in England. But, when once his business at the papal court had been effected, he was in no great hurry to return home. For what purpose he remained on the Continent does not appear; we only know, that he did not reach England till the 5th of September. He received the temporalities from the king at Lynn, on the 19th; but he was not enthroned until the 22d of January, 1329.* The intervening time was probably employed in preparing for that important and expensive ceremonial. His brothers, Edmund, a layman, and Thomas, a friar, had been diligently employed for some time, in making arrangements for the formation of his court and household. The archbishop and his brothers were so particular in all that related to the establishment at his palace, as to provoke remark and censure. Simon was himself accused of being unduly elated, and of comporting himself with more of pride, than was becoming, in one who made pretensions to holiness. The truth, however, seems to have been, that Simon, regarding his office from the clerical point of view, and not as an appendage to secular employments and honours, had in view, in the formation of his establishment, less to a princely retinue, than to a pious household. In this he was cordially seconded by his brothers, who were so particular in their selection of persons to be admitted into the family of the primate, that they were asserted to be looking out for angels instead of men.†

Archbishop Simon directed his attention immediately

* Ang. Sac. i. 794.

† William de Dene (Ang. Sac. i. 368), having stated that they were too much concerned about obtaining a retinue "pro clericis et familiâ

CHAP. IX.

Simon Mepeham. 1328-33.

to ecclesiastical affairs. Complaint had been made, in the various letters to which attention has been called, of the lax state of morals and discipline in the Church of England; and notice was given, immediately after the enthronization, of a provincial synod, to be held in the following January, at the Cathedral of St. Paul's in London. Capgrave calls it "a grete Council." The preamble is the composition of the archbishop, and the language is such as to convince us that Simon de Mepeham was in earnest, when he appeared in the character of a reformer. It runs thus :—

"It concerns prelates of the Church to have a zeal for the Lord their God (who are to be damned not only with a personal perdition, but the Lord will require at their hands the blood of their subjects), especially against those who are honoured with the name of Christians, and yet contradict their profession by their damned works, so as to root out by the sword of the Spirit, and the hoe of ecclesiastical discipline, all hurtful vices, and graft virtue, and reform manners, so that evil appetites may not exceed the bounds of honesty, but that the Christian profession may be advanced with a salutary increase. To this end, we, Simon, by Divine permission Archbishop of Canterbury and Primate of All England, in the name of the holy undivided Trinity, Father, Son, and Holy Ghost, have by the authority of this present council, and with the consent of our suffragan brethren, thought it necessary to confirm the ecclesiastical state in our province of Canterbury, by adding punishments for the observation of statutes formerly published by councils, and by ordaining some new ones by which the (evil) living of offenders may be restrained, and their salvation promoted." *

familiâ ad serviendum sibi habendis," says they scarcely esteemed any persons suitable in England. "Angelos et non homines quæsiverunt ad hoc opus." William de Dene was not an impartial writer.

* "Concilium Provinciale Cantuar. in quo constitutiones domini Simonis Mepeham Cantuariensis Archiepiscopi editæ apud S. Paulum, London, Anno Dom. MCCCXXVIII."

The first constitution insists upon the strict observance of Good Friday ; but an expression is used which strikes us as a remarkable oversight. The day is to be observed as a festival,—meaning evidently, that no work was to be done ; all work being prohibited on the Lord's day, and the other festivals relating to our Blessed Saviour. But Mepeham adds : "Yet we do not hereby lay any law upon the poor, nor forbid the rich to yield their customary assistance to the poor in tilling their lands for charity's sake."

The second constitution ordains a new festival in honour of the Virgin Mary, which is noticeable from the moderation of its tone. It enacts "that the memory of the Blessed Virgin Mary, the Mother of our Lord, may be oftener and more solemnly celebrated, in proportion to the greater favour, which she, among all the saints, hath found with God, who ordained her conception to be the predestinated temporal origin of His only-begotten Son, and the salvation of all men ; that by this means the remote dawnings of our salvation, which raise spiritual joys in pious minds, might increase the devotion and salvation of all ; following the steps of our venerable predecessor Anselm, who, after other more ancient solemnities of hers, thought fit to add that of her conception, we ordain and firmly command, that the feast of the conception aforesaid be solemnly celebrated for the future in all the churches of our province of Canterbury."

We observe, also, a consideration for the poor, which must be attributed to the improved social condition of the working classes, and in part, perhaps, to the kind feelings of the archbishop. The fourth and fifth constitutions are as follow :—

"And let them be restrained by sentence of excommunication, who, contrary to the custom of England hitherto allowed,

CHAP. IX.

Simon Mepeham. 1328-33.

do obstruct the testaments or last wills of villains appertinent to lands, or of any other of a servile condition."

"And because ordinaries of places do aggrieve such executors by difficulties of their own making, in order to extort money from them on account of the insinuation of their wills, or committing the administration of their goods, we ordain that nothing at all be demanded for the insinuation of the testament of a poor man, the inventory of whose goods does not exceed one hundred shillings sterling."

Several other councils were convened by Archbishop Mepeham, either for meeting the royal demand for money, or for the purpose of enforcing the discipline of the Church. At a council held in London, in 1330, no one is permitted to assume the character of a hermit, without the licence of the bishop of the diocese first obtained. In the year 1332 a council was held at the archiepiscopal manor of Mayfield, in Sussex, to remedy some evils which arose from the number of holidays observed in the Church. The result of the meeting appears in a letter addressed by the archbishop, to the Bishop of Salisbury. Holydays, which were designed for the promotion of God's glory, were, it is affirmed, too often profaned by rioting, drunkenness, and all manner of iniquity; and certain laws were enacted to correct the abuse. The letter, though addressed to the Bishop of Salisbury, was a circular; and each diocesan was directed to teach the people that the Lord's day was to begin on the Saturday evening, and not before,—but must not, on that account, be confounded with the Jewish Sabbath; and that the vigils of feasts were to be observed. The feasts to be observed were "those of our Lord's Nativity; of Saints Stephen, John, the Innocents, Thomas the Martyr, the Circumcision, the Lord's Epiphany, the Purification of the Blessed Mary, St. Matthias the Apostle, the Annuncia-

tion of the Blessed Mary, Easter with three days following, St. Mark the Evangelist, the Apostles Philip and James, the Invention of the Holy Cross, the Ascension of the Lord, Pentecost with three days following, the Body of Christ, the Nativity of St. John Baptist, the Apostles Peter and Paul, the Translation of St. Thomas, St. Mary Magdalene, St. James the Apostle, the Assumption of the Blessed Mary, St. Lawrence, St. Bartholomew, the Nativity of St. Mary, the Exaltation of the Holy Cross, St. Matthew the Apostle, St. Michael, St. Luke the Evangelist, the Apostles Simon and Jude, All Saints, St. Andrew the Apostle, St. Nicolas, the Conception of the Blessed Mary, St. Thomas the Apostle, the solemnities of the dedication of parish churches, and of the saints to whose honour the parish churches are dedicated ; in addition to the other feasts, which, in the several dioceses of the said province, are particularly pointed out by the ordinaries of the places, from certain knowledge. We charge you, therefore, that you bring all and singular the subjects before mentioned to the knowledge of those under you, and admonish them, and effectually represent to them, that they diligently observe the feasts above enumerated as they may occur, and that they be venerated with due honour, and that they reverently go to their parish churches, and await the complement of masses and other divine offices for the safety of themselves and the rest of the faithful, the saints both living and dead, beseeching God devoutly and with sincere minds, that by thus going the round of the solemnities of these feasts themselves, they and other catholics may deserve to have the saints whose feasts they may have celebrated, for assiduous intercessors with God. Intimate also to those under you, that on the other feasts of saints, they can with impunity proceed to their usual work. But if there

CHAP. IX. Simon Mepeham. 1328-33.

should be any hired workmen, who on particular festivals not indicted, as aforesaid, shall presume to cease from their usual work, that thus, according to what has been stated, they may defraud those to whose service they have bound themselves, you may canonically restrain them from superstitions of this kind, and cause them to be restrained by others, by ecclesiastical censures, and what you may have done in the matters aforesaid do you certify to us by your letters patent, about the Feast of the Nativity of the Blessed Virgin Mary, now next about to happen. Given at Maghfield, 16 cal. Aug. A.D. MCCCXXXII, and the fifth year of our consecration." *

Simon Mepeham was no politician, and seldom interfered in public affairs. We merely find him occasionally interposing his good offices to effect a reconciliation between parties at variance; and he published, soon after his consecration, a general sentence of excommunication against the disturbers of the public peace—a document, at this time, regarded as a mere form, such as her present Majesty's proclamation against vice. He insisted also patriotically on the observance of the principle and the letter of Magna Charta. But his abstinence from politics, and his endeavour to compel diocesans to attend to their spiritual duties, rendered him anything but popular among his suffragans. They were generally content, until driven from public business by disgrace at court, or through old age, to regard their episcopal duties as of secondary importance, when compared with the

* Concilium Maghfeldense, in quo constitutio domini Simonis, Cantuar. Archiepiscopi, de feriis et festis sanctorum celebrandis edita est 16 Cal. Augusti Anno Domini MCCCXXXII. Ex MS. Cott. Otho, A. 15. Collat. cum MS. Collegii B. Mariæ Magd. Oxon. n. 185. Wilkins, ii. 560.

duties devolving upon them as legislators, statesmen, or lawyers. The archbishop, in advance of his age, took a different view of things; and, so early as the year 1329, the year after his consecration, he commenced a provincial visitation. This was always an unpopular act, as it involved the bishops and the clergy in considerable expense. In Mepeham's case, the unsettled state of the country, and the disorderly condition of the clergy, rendered it absolutely necessary, that he should be attended by a large retinue, and by armed men. His daily expenses were said to amount to twenty-four pounds, and he was accused of omitting to make the usual presents to the officials. By his enemies it was affirmed, that this expense was occasioned by his love of state. But, upon examination, we find, that he did not exceed what the canons permitted: and when we shall mention the reception he met with at Exeter, we shall not be surprised at his being unwilling to dispense with that cavalcade of eighty horse, which was less than the Church allowed. Nevertheless, it was a grievance. The horses were to be fed, while their riders were to be entertained, at the expense of the several parishes; and the officers of the archbishop's court, with the members of his household, were not contented with very humble fare. Still, there can be no doubt, that the real ground of the unpopularity of this visitation originated in the minute inquiries, which were made into offences, and the severity with which delinquents were punished.*

The visitation commenced with the diocese of Rochester, over which Haymo Heath presided. Against him certain charges were brought, which were investi-

* Ang. Sac. i. 369.

CHAP. IX. Simon Mepeham. 1328–33.

gated by a committee appointed by the primate. The document, in which the charges were made, throws so much light upon the character of the times, that I present the reader with a translation of the original statement :—

"Hamo, by the grace of God Bishop of Rochester, has been accustomed to grant to the rectors of the churches of his diocese vagrant letters of dispensation for non-residence. Also, he does not defend the rights and liberties of his Church. Also, he caused to be cut down the wood of Cobehambery, and of Stone, &c. Also, he does not make the circuit of his diocese, as he is bound, to discharge the episcopal office, but he stays at Hallyng and Trottysclyve, and everywhere he leaves children unconfirmed. Also, he rarely preaches in his diocese. Also, he promoted the present Prior of Rochester, although he knew him to be illegitimate. Also, that in the election of the Prior of Rochester he made a scrutiny with his clergy, without adding any monk to the number. Also, that he did not correct John de Wodestok, who was accused to him of incontinence. Also, that he is impatient, and easily kindles against men. Also, that he is inconstant in his words, and does not fulfil his promises. Also, that he has deposed many monks of Rochester from their office, and imprisoned them without any sufficient proof of the crimes objected. Also, that he places divers ministers in the priory of Rochester, to the number of twenty and more, contrary to the privileges of the church of Rochester, when he ought not to place there more than four or five. Also, that he places his kindred and others in offices, who do not minister in those offices, but depute other persons, to whom they assign half of the stipends due. Also, that although it had been anciently ordered that, as often as the Bishop of Rochester should celebrate the Feast of St. Andrew in the said church, and in his hall there, he should have a certain gift of the value of ten pounds, and not otherwise, the bishop, pretending that he would oftener celebrate the feast there, received the gift, and did not undergo the burden aforesaid. Also, that he delivered to his brother the holding at Frakenham, in fee at a very small sum. Also, that he delivered the hospital at Strode to secular

persons to govern, contrary to the ordinance made at the foundation of the house, and that these secular guardians destroyed the said hospital. Also, he received half a merk of silver for giving an account of a will."*

It is probable, that there had been carelessness on the part of the bishop, who was fined, and placed under excommunication until the fine was paid. This was resented by some of the bishop's adherents, but not by the Bishop of Rochester himself, who became the fast friend of Mepeham; showing himself, in times of trial, to be a friend indeed, and remaining a friend to the last. When the old controversy, concerning the right of the Archbishop of York to have his cross carried erect in the southern province, was started afresh, the Bishop of Rochester was the only one among the suffragans of Mepeham who supported the rights of the Archbishop of Canterbury. At the death-bed of the archbishop, the Bishop of Rochester administered the consolations of religion; and when all was over, officiated at his funeral.

In the November of 1330, at a Parliament assembled at Westminster, for the condemnation of the Earl of March, the controversy concerning the Cross was re-opened. When the Archbishop of York determined to persevere in the assertion of what he regarded as his right, Mepeham summoned his suffragans, and called upon them to assist him in maintaining the honour of his province. But, with the single exception

* Ang. Sac. i. 369. Wilkins, ii. 556. Haymo de Hythe, or, as Mr. Stubbs writes him, Haymo Heath, was prior of Rochester, 1314, and built the Manor House of Trottscliffe and St. Bartholomew's Hospital at Hythe. He was consecrated at Avignon by the Bishop of Ostia, on the 26th of August, 1319. He died the 4th of May, 1352, and was buried at Rochester. Profession Roll, Canterbury.

CHAP. IX.

Simon Mepeham. 1328–33.

of the Bishop of Rochester, the bishops declined to interfere in a matter in which they were not directly concerned. By the Bishop of Rochester, Mepeham was advised, having first consulted the king, to declare in Parliament, that, if any one should infringe the rights of the church of Canterbury, he should be *ipso facto* excommunicated. The primate was then to withdraw, and to decline any further attendance at Parliament, until right was done to him. There were other counsellors of the archbishop, who remarked, that for such conduct as this, the king would seize the temporalities of the see. The Bishop of Rochester replied, that greater honour could not accrue to the archbishop, than to suffer in the cause of the Church. The archbishop approved of the sentiment, but did not act upon the advice. The Bishop of Rochester, of that age, was a man of wit, and he slily remarked to the dissentient suffragans, that, if the king seized on the temporalities, the archbishop would have to dismiss his retinue—the largeness of his retinue, to be maintained during a provincial visitation by the diocesans, being one of the ostensible grounds of complaint, as we have seen, against Mepeham.*

Pursuing his visitation, the archbishop visited the dioceses of Chichester, Salisbury, and Bath and Wells, where he met with no opposition. When he approached Exeter, however, he found the bishop, John Grandison, prepared to withstand his progress. The archbishop, with his cross erect, preceded and followed by the clergy of his household, and escorted by eighty men in armour, went up the street in solemn procession and march. But the west door of the cathedral, which ought to have been open to receive him, was

* William de Dene. Ang. Sac. i. 371.

double-locked and barred. The armed followers of the Bishop of Exeter were drawn up in martial array before the cloisters, where the cathedral clergy were prepared, if need should be, to join the troops, determined to resist the primate.*

The archbishop, and the bishop, seem to have remained some time, with their respective forces, at Exeter, and it was feared that the dispute would end in a battle. The Government, therefore, found it necessary, and was now strong enough, to interfere. The archbishop was commanded to desist from his

* This was not the first controversy between the Bishop of Exeter and the Archbishop of Canterbury. The bishop refused to obey the archbishop's summons to the Council held in London, in the year 1328. The letter of the bishop may be found in Wilkins, ii. 550. He says that he could not comply with the mandate without incurring intolerable expenses and perils. He gives an awful picture of the state of society, at the time, in Devonshire, and the extreme hostility to ecclesiastics displayed by the natives. "This affront," says Fuller, "did half break Mepham's heart, and the pope, siding with the bishop against him, broke the other half thereof." This, however, was not really the case. The Bishop of Exeter, at this time, was John Grandison. He was the son of Gilbert, Lord Grandison, and of Sybilla, daughter of John Tregoy, Lord of Ewias Castle, Hereford. He was born at Asperton, Herefordshire. He was Prebendary of Exeter and York in 1309, Archdeacon of Nottingham, Oct. 12, 1310, and Dean of Wells. While holding these preferments, he became Chaplain to Pope Clement V., who employed him as his Nuncio in France, Spain, Germany, and England, when he attracted the notice of Edward III. He was sent to Rome to arrange the peace. He was consecrated to the see of Exeter on the 18th of October, 1327. He was enormously rich, and founded Ottery St. Mary; built Bishop's Teignton; vaulted the nave, and built the west front of Exeter Cathedral. He annexed Radway to the see as a provision for the bishop. He compelled all ecclesiastics in his diocese to bequeath their goods to him to complete his buildings. He died July 16, 1369. Fuller's Worthies, ii. 37. Ang. Sac. i. 18, 443. Walsingham, 184.

CHAP. IX.

Simon Mepeham. 1328–33.

visitation, and he obeyed. But he resented the interference. The Government had complained of the want of discipline in the Church; and yet when the primate attempted the reform, which they asserted to be necessary, they not only refused to support him, but threw impediments in his way. It is to be remembered, that the high offices of state, including those of the Chancellor and the Lord High Treasurer, were again filled by prelates—that is, by lawyers and statesmen, holding the highest Church preferments, while discharging very inadequately the duties which the preferments implied. These were opposed to a primate, who had never concerned himself in political affairs, but looked upon the clergy, high and low, as persons whose primary vocation was to the discharge of their spiritual functions. The bishops were opposed to the whole system of the primate, and were resolved not to permit a visitation to proceed, the object of which was to compel them to reside in their respective dioceses.

Disheartened, and not well qualified for active life, the archbishop now determined to retire.

He did not find peace at Canterbury. It was always, indeed, difficult for a bishop to live at peace and concord with the monks of his diocese. The principle of the monastery was that of Dissent—an exemption from episcopal control, and the laws of the national Church. With the monks of St. Augustine's, Archbishop Simon was involved in a controversy, which, if his temper had not been equable, and under the control of religion, would have embittered his later years. It was one of the causes, no doubt, which led him to prefer a manor in Sussex to a residence in his cathedral town.

The controversy was not one of any real importance,

and cannot be said to involve any principle. But it occupies a larger page in the history of the times, than it deserves, because it was taken up by a chronicler, to whom we are indebted for much valuable information, but who, as a monk of St. Augustine's, first magnifies the importance of the dispute, and then treats of it with an amount of party spirit, which, regarded from a distance, and after the lapse of years, appears surprising. I have waded through the pages of Thorn, and I come to the conclusion, that if the archbishop did not always act with a sound judgment, he is, certainly, not so wrong as he might, at first sight, appear to be.

However much we may, regarding the subject abstractedly, censure the principle by which certain abbeys were exempted from episcopal jurisdiction; and by which certain abbots, though only priests, were decorated, by papal authority, with all the ensigns of episcopacy, and, indeed, with all its powers except those which relate to ordination and confirmation; yet this principle was now, in the fourteenth century, universally admitted and firmly established. Over parishes, therefore, of which the monks of St. Augustine's were the impropriators, the abbot, though unable to perform acts which are inalienably attached to episcopacy, held episcopal jurisdiction; and the jurisdiction of the diocesan was virtually superseded. Consequently, if Mepeham had claimed the right to visit these parishes as a diocesan, he would have been so clearly in the wrong, that we should marvel at his having made the attempt. But such an attempt he did not make. All that he did was to cite the monks of St. Augustine's to show their right to certain churches and chapels, and to the income accruing therefrom. This was, of course, a different and distinct question; but men

CHAP. IX.

Simon Mepeham. 1328-33.

were, at this time, so tenacious of their rights, that the monks were beyond measure indignant at the citation of the primate. They refused to supply the information; and the archbishop declared them contumacious. The monks, probably, felt, that this was an attempt to insert the small end of the wedge, and that, at the next visitation, some further encroachment would be made on their independence. We must admit, that an unfortunate time, though that which was most convenient to the primate, was chosen for this proceeding. If the archbishop wished merely to ascertain what was or was not the property of the monks, he might, at any time, have instituted the inquiry. When he chose the time of his visitation, he might certainly give ground for suspicion to the monks, always tetchy and jealous. We may indeed ourselves suspect, that he had some ulterior design of bringing them under his jurisdiction. Archbishop Simon saw his mistake, and acted with moderation. Although the monks were pronounced to be contumacious, yet the archbishop informed their proctor, that he would reserve his sentence of judgment. The monks, however, would accept of no explanation. They appealed to the pope for protection; and urged, that their jurisdiction was exempted from episcopal supervision, being a papal grant. The pope was insulted when their exempt jurisdiction was assailed. Icherius of Concocet, Canon of Salisbury, was appointed by the papal authorities to decide the case; and he had full powers to act. The appointment of a secular clergyman to sit in judgment, in a case wherein an archbishop was concerned, was not objectionable in itself, as the matter related to a mere question of law. But Icherius acted with violence, and as a decided advocate of the monks, before the case was heard. He summoned

the archbishop to appear before him, and the archbishop's counsel advised him not to obey the summons. Icherius publicly declared, that the archbishop should submit to him or die.* The archbishop, seeking only justice, was not unwilling to refer the case. But he required the appointment of an arbitrator less prejudiced than Icherius.

The monks were never so well pleased, or so much excited, as when they were engaged in controversy with a bishop. It seemed to magnify their importance. The present controversy they regarded, or would make others regard, as one which involved a principle. They would not, for their own sakes merely, be involved, they would say, in so much trouble and expense; but they were vindicating the monastic rights, generally—those rights which included, under papal exemption, an independence of all national Churches, and of the diocesan episcopate. It was an old controversy always cropping up. Their proctor appeared at Avignon. He was to employ eloquence, art, influence, and money, to obtain a judgment in their favour. A triumph over the archbishop was to be secured at any cost.

But though the monks of St. Augustine imagined that all England must be interested in their suit, the time had long passed by, since such suits attracted much notice in this country. The archbishop did not concern himself personally in the matter. It is never pleasant to be engaged in a lawsuit, however contemptible the man may be, who institutes the suit. But, beyond this, the affair did not give any trouble to Mepeham. By his household, the monks of St. Augustine were regarded with feelings rather of contempt than of hatred. All was left to the lawyers.

* Sub pœna capitis sui succumbat.

CHAP. IX.

Simon Mepeham. 1328–33.

The archbishop, however, was much disheartened by the little assistance he received from the Government. When he was nominated to the primacy an attempt was made to govern the country by laymen exclusively; the attempt was renewed at another period of Edward's reign; but it was premature. A sufficient number of competent laymen was not to be found; and when found, there was a difficulty in providing for them. At first, the Government, conducted by laymen to a great extent, was prepared to assist Mepeham, who would confine the clergy to their Church duties. But now, the clergy being again in office, the primate, who had been concerned in the movement, was regarded as a mere fanatic, and was attacked by party writers without receiving any protection from any quarter. He retired, therefore, to Slindon, there to resume the biblical studies, which he had unwillingly relinquished for honours and duties uncongenial to his feelings, and not in accordance with his previous habits. Slindon was a manor of the archbishopric, within a few miles of Chichester, where Mepeham had passed the happiest years of his life. It is not probable, that he should overflow with those feelings which, through modern refinement, have rendered the contemplation of the sublime and beautiful in nature a source of enjoyment, even to ordinary minds; yet, unconsciously, the feelings themselves he must, in some measure, have experienced. And when, in his old age, he lay beneath the wide-spreading beech-trees, inhaling, with the sweet odour of the wild flowers, the invigorating breezes now coming up from the southern sea, or now descending from the hill ranges around him—those downs, on the green sward and elastic turf of which he remembered, in his youth, to have bounded on horseback—he sometimes felt his appetite inconve-

niently good on a fast day; while day by day he delighted to rise from the contemplation of Nature to the worship of Nature's God.

In those days, however, it was easier to seek than to find retirement; and the peaceful home of the learned and now aged archbishop was soon invaded. He retired, one night, to rest; and, finding himself unwell, determined to take some physic, and to pass the next day in bed. At this time, the members of his household were surprised to see coming up the gentle slope from Chichester, certain men of the law, escorted by a number of armed officials, who did not present a very formidable appearance. First came Aymeric, Rector of St. Julian's, a hospital founded for lepers in the city of London; then came Thomas Mansel, a notary public; and Thomas of Natendon, the proctor of the Convent of St. Augustine's. The door of the manor house was closed. They knocked. What did they want? To see the archbishop, was the reply. He was unwell; what more had they to say? They had come to serve a writ upon his Grace, who was summoned to appear before the commissioners appointed to hear and adjudicate in the great and important case of St. Augustine's. The retainers of the archbishop regarded the whole proceeding as a joke. They were particularly amused with Thomas of Natendon, a short squat little man, evidently proud of the distinction of heading a lawsuit against the archbishop. The primate's people sent immediately for the chief esquire, or man-at-arms, of the archiepiscopal establishment; and they admitted, without any feelings of alarm, the men, who regarded themselves as the myrmidons of the law. Thomas of Natendon produced the papal writ. The people were beginning to laugh, when the esquire made his appearance, followed by his armed followers,

CHAP. IX.

Simon Mepeham. 1328–33.

fifty in number. What are you doing? he demanded of Thomas. What the law directs me, was Thomas's reply. You will suffer for it, said the man-at-arms; and his followers drew their swords. The other people seized upon clubs and sticks, and whatever came to hand, and laid about them lustily, but not with any deadly intent. Poor Master Mansel, the notary public, was knocked down in the *melée*, and broke his arm; but this was the only casualty or serious accident. The party seem to have amused themselves much with the unfortunate rector of the leper hospital, the feather in whose cap was of the same colour as his cheeks. He was thumped and bruised, and at last he was compelled to yield himself a prisoner. They carried him to the dungeon. There they sent for the barber—always an important personage in every episcopal household, his business being to see that the hair of the priests was cut canonically before they appeared in the episcopal presence. The tonsure was scarcely visible upon the poor rector's head. He was therefore shaved. In shaving him it was found, that he had neglected his ablutions, and the result resembled one of the plagues of Egypt. Consequently water was poured upon him, as he himself afterwards declared,—at least six gallons.

But the greatest amusement was found in a chase given to Thomas of Natendon. He was a portly monk, whose nerves were not of the strongest. When the fray commenced in earnest, he slunk out of the hall, and got his fellows to push him upon the horse's back; and away he cautiously and slowly began to ride, for he was a sorry horseman—*equester timidus*. But he did not escape the vigilance of the archbishop's people; and he was pursued. The horse of the timid horseman pricked up his ears, and bounded over the downs, at a pace inconvenient to Thomas's body, and the horse,

hearing horsemen behind him, sympathised with him in his fears. The pursuers shouted, sounded horns, urged on their dogs. At last they captured Thomas and his horse at Petworth, where the captive sought in vain the protection of the great Lord Henry Percy.* They brought him back to Slindon. There, in durance they detained their prisoner for three days; and then they amused themselves by watching the precautions he slyly took, as they purposely relaxed their guard to permit him to steal away; or as he piously expressed it, *manus eorum evasit in nomine Dei.*

The archbishop was, all this time, confined to his bed; and it was an article of faith in the household of Slindon, that of these proceedings he knew nothing, until all was over. The monks of St. Augustine's, however, did not believe in his ignorance. Perhaps others will be of opinion, that none are so deaf as those who will not hear.

These transactions were made the most of by the monks. Their proctor demanded a personal interview with the pope, that their complaints might be laid before his holiness, in whose cause they represented themselves to be suffering. John XXII. was a little deformed man, who never entirely overcame the ungainly habits he had acquired when mending shoes in his father's stall; his father being a respectable cobbler at Cahors. The monks described, in powerful language, the great battle of Slindon, where, by the armed men of the archbishop, the officers of the papal court were insulted, wounded and imprisoned. The little pope became irate; and terrible was the anger of John XXII. He moved his head first this way, and then the other

* See Arnold's Petworth, 42. This little work, from its minute accuracy, and depth of research, ranks among the first of our local histories.

CHAP. IX.

Simon Mepeham. 1328–33.

way, and vowed a vow in strong language, that the Archbishop of Canterbury, unless he proved his innocence, should suffer for this outrageous conduct.

The archbishop, meantime, remained in his retirement at Slindon, preparing his soul for the great change which was awaiting him. His proctors, however, thought it expedient to produce an affidavit, in which the archbishop declares, that he did not participate in or sanction the violent proceedings at Slindon; that what took place was done not only without his connivance, but without his knowledge.

What is more extraordinary is, that testimonials were produced in favour of the Archbishop of Canterbury, from the Bishops of London, Lincoln, Worcester, Carlisle, Norwich, Chichester, Salisbury and Ely. These prelates testify that the Lord Simon was known to some of them for ten, to others for twenty, and to others for thirty years; and that he was a man of honest conversation, compliant, modest, gentle, humble, benevolent, illustrious for innocency of life, knowledge, and purity of conscience; that he was resplendent for the propriety of his manners, being of good repute throughout the realm of England. The Bishop of London, in a separate document, denounced the conduct of the monks as a persecution.*

The suffragans who opposed the visitation of a pious archbishop, made common cause with him against their common enemies, the monks.

The proceedings under Icherius continued. But the archbishop treated those proceedings, and the court itself, as beneath his notice. Judgment was at length given in favour of the monks, with costs to the amount of 1,210 marks.

* See the testimonials in Thorn, X. Script. 2045.

This judgment was disregarded by the primate. He was pronounced contumacious. He heeded it not. His excommunication followed. He regarded it as a mere form of law.

This excommunication was pronounced in 1330. But it did not interfere with the public acts of the archbishop, and it certainly did not, in private, disturb his peace of mind. He held a council in 1332, and was zealous in the discharge of his episcopal duties. The Bishop of Rochester did indeed, at one time, remind him, that the excommunication might involve him in difficulties, and advised him, by paying the sum in which he was mulcted, to obtain absolution. But the archbishop replied that it was not worth the time, expense, and trouble.

Some inconvenience did, nevertheless, result from the excommunication, but not in the archbishop's lifetime. Thorn is careful to inform us, that the archbishop's interment could not take place at Canterbury until the Abbot of St. Augustine's had absolved the corpse.*

With failing health the archbishop became so depressed in spirit, that he took very little interest in anything but his devotions.

The meek and gentle spirit of Simon Mepeham passed from this world of trouble to the bosom of his Lord, on the morning of the 12th of October, 1333. He was in all things respectable : in nothing great : respectable as a scholar, respectable as a divine ; respectable as a prelate. But the age required something more than respectable mediocrity, and Simon Mepeham, by confining himself to his duties as a servant and minister of the Lord Jesus Christ, was regarded as mean-spirited by those who looked, in the Archbishop

* X. Script. 2066.

CHAP. IX.

Simon Mepeham. 1328–33.

of Canterbury, for one who could lead them in things temporal as well as in the things eternal.

His corpse was met, as it passed through Chichester, by the inhabitants of a city who had long regarded him as a friend. It was met at the gates of Canterbury by the Bishop of Rochester. At the end of fourteen days after his death, he was buried in the chapel of St. Peter, on the south side of the high altar.

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